
U.S. Coast Guard – States – NASBLA Collaborative Policy Project on Recreational Boating Incident Reporting

Consensus Recommendations to the U.S. Coast Guard

June 2020

Accepted by Vote of NASBLA Membership - July 31, 2020 *

This document and items incorporated into it by reference (listed below) present a work product that was voted on and accepted by the NASBLA membership and approved for transmission to the U.S. Coast Guard via a process authorized under NASBLA Bylaw III, Section 8 *

Incorporated by reference:

- **Recreational Boating Incident Report Decision Matrix** (graphic associated with recommendations 2.1 through 2.4 regarding determination of incidents that should require a federal report);
- **Incident Report Data Elements Summary Chart** (associated with recommendations under section 5);
- **Five incident report categories—lists of terms and definitions** approved by NASBLA membership in 2012-2013 and reviewed and revised in this project:
 - **Vessel Sub-Types for Use with Authorized Vessel Types** (recommendations 5.3.12 and 5.3.13 regarding vessel subtypes);
 - **Accident Types/Events** (recommendation 5.4.2);
 - **Operation of the Vessel at the Time of the Accident** (recommendation 5.4.3);
 - **Activity: Use of the Vessel and Activity at the Time of the Accident** (recommendation 5.4.4);
 - **Contributing Factors/Causes** (recommendation 5.4.5).

A separate **Resource Document** (v. June 2020), which provides additional detail, is available as a supplement to this document and the appended materials.

* **Voting process:** Voting was authorized and conducted under the terms of NASBLA Bylaw III, Section 8 (*Conducting Interim Business*). A Request for Vote was initiated in a July 1, 2020 email to all Boating Law Administrators (BLAs) by Hannah Helsby, NASBLA Deputy Executive Director, on behalf of the NASBLA Executive Board. The required 30-day voting period (extended by a day to accommodate the July 4th holiday) had a July 31, 2020 deadline for receipt of ballots by email or postal mail. By the deadline, 54 of the 56 NASBLA member States, as represented by their BLAs or the BLAs' designees, had cast ballots, all electronically. Two of the U.S. Territories (American Samoa and Virgin Islands) had not voted by the deadline. All 54 members who did vote, voted to accept the package of consensus recommendations and approve its transmission to the U.S. Coast Guard Office of Auxiliary and Boating Safety for Office use in developing related national policy and regulatory provisions. The vote was certified by NASBLA Vice Chair/Secretary Timothy Dunleavy on August 5, 2020.

Beginning November 2017, a workgroup made up of 13 representatives¹ from the States, the Coast Guard, and the National Association of State Boating Law Administrators (NASBLA) convened weekly to discuss revisions to the accident reporting policies and procedures within the National Recreational Boating Safety (RBS) Program. The workgroup members are listed on the last page of this document.

Their weekly discussions, which continued through the end of 2018 and resulted in a set of initial, consensus recommendations, marked the latest in a series of efforts to update CG-449, “Standard Method of Reporting (Boating Accidents),” the Coast Guard’s operational guidance for States published in 1973 pursuant to the Federal Boat Safety Act of 1971 and the federal regulations promulgated thereafter. While those efforts over the years yielded significant proposals for improvements to the reporting structure and procedures, none resulted in comprehensive revisions to the reporting system, and none were successful in updating the CG-449 guidance that both the Coast Guard and the States recognize as obsolete.

However, in 2017, staff within the Coast Guard’s Office of Auxiliary and Boating Safety expressed a strong desire to revisit the accident reporting procedures, and Coast Guard leadership was receptive. NASBLA and the States have long held a similar desire for clear procedures in the interest of uniformity and consistency in federal reporting requirements for boating accidents. As a result, the workgroup of State, Coast Guard, and NASBLA representatives was formed to collectively devise and—*through an extensive feedback and approval process*—work to achieve consensus on recommendations that could inform the Coast Guard’s development of national reporting policy and procedures. The first phase of the project, which spanned November 2017 through May 2020, focused on major aspects of the reporting system, structures, and procedures.²

BUILDING CONSENSUS AROUND THE RECOMMENDATIONS

For phase one of the project, the workgroup developed and refined recommendations using a process designed to build consensus among its own members and among stakeholders beyond the group. For purposes of this project, the workgroup adopted the following operational definition of “consensus”:

CONSENSUS means that substantial agreement has been reached by the affected interests, in this case, the States and the Coast Guard. Consensus requires that all views and objections be considered, and that all due effort be made toward their resolution.

In adopting this definition, the workgroup accepted that consensus would **not** necessarily mean 100 percent agreement by all parties on every aspect of the package of recommendations. However, consensus *would* require that far more of the affected interests than not ultimately would agree with the proposals to some degree and accept them; that the process employed would encourage varied perspectives to be received and considered in shaping the final product; and that the affected interests would understand and ultimately accept the will of the larger group and not deliberately work against the policies or actions developed or undertaken in response. The workgroup believes that it has conducted phase one of this project in accordance with these principles and that this document presents consensus recommendations.

¹ Other State members from NASBLA’s Executive Board and its Engineering, Reporting & Analysis Committee (ERAC) often participated in the discussions, but were not voting members of the workgroup for purposes of determining consensus. Coast Guard members of the workgroup shared their individual subject matter expertise and perspectives during the teleconferences, but voted as a unit in responding to online consensus polls that were used to further gauge members’ levels of agreement with the drafts.

² The second phase of this project will focus on a revised reporting system (currently, the Boating Accident Report Database (BARD)) and further development of “best practices” and other guidance documentation for effective implementation of revisions to the reporting structure and systems.

ENGAGING THE “AFFECTED INTERESTS” -- GATHERING AND RESOLVING FEEDBACK ON THE RECOMMENDATIONS FROM THE STATES AND THE COAST GUARD

In February 2019, the recommendations that emerged from the project workgroup’s weekly discussions in 2018 were delivered to the project’s organizational partners³ for the first⁴ of two comment periods to engage stakeholders beyond the workgroup. While that first comment period was underway, and in preparation for a [project overview session at the 2019 BLA Workshop](#), a “working document” containing the recommendations under review was released to the States’ Boating Law Administrators (BLAs). The limited distribution was done with the understanding that some recommendations might change as a result of the group’s consideration of the first round of comments.⁵ Ultimately, the workgroup did not delete any of the original recommendations, but, in response to the feedback from the first comment period, did modify six and add a new one.

The second of the two formal comment periods—involving release of the revised recommendations to all States, primarily via the BLAs—was initiated March 27, 2019, with an intended deadline of May 10, 2019, for submission of feedback. However, in order to accommodate State respondents who requested more review time, the deadline was extended through June 2019. For the record and the sake of transparency and to promote conversation on the topics, commenters were asked to post their feedback at an online discussion forum in the [NASBLA Connect Community](#) dedicated to this project.

Representatives from 43 States, two NASBLA associate members, and Coast Guard personnel⁶ posted feedback of some sort on some or all of the project recommendations.

STATES REPRESENTED AMONG THE COMMENTERS:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, Wyoming.

Many of the responding BLAs and other State personnel expressed overall support for the project without offering specific comments or suggestions for modifying proposed recommendations. Others identified specific concerns and disagreements and offered alternatives, even as they expressed general support for the project. Yet other commenters took the opportunity to offer testimony as to why they agreed with some of the proposed recommendations. No State that submitted comments dismissed the entire project outright.⁷

³ The leadership and key staff of the Coast Guard’s Office of Auxiliary and Boating Safety, members of the NASBLA Executive Board, and all members of NASBLA’s Engineering, Reporting & Analysis Committee (ERAC). Project workgroup members were also invited to comment.

⁴ The first comment period ran Feb.19-March 8, 2019. A [compilation of submitted comments](#) can be found in the Library at [OPEN COMMENT - Recreational Boating Incident Reporting Policy Project](#).

⁵ On a March 11, 2019 teleconference, the project workgroup took up substantive comments associated with 37 recommendations. Several comments that were submitted in the first external review did not require immediate attention; however, their substance is reflected, as relevant, in the [Resource Document \(v. June 2020\)](#) and narratives associated with the affected recommendations.

⁶ During the initial comment period, two Coast Guard representatives who were not members of the immediate workgroup offered comments. On Aug. 5, 2019, official feedback from CG-BSX in the form of a letter from Verne Gifford, Chief, Boating Safety Division, (beyond the input of Coast Guard representatives provided during the project workgroup deliberations) was delivered to the workgroup for consideration.

⁷ In its formal comments to this and previous reporting improvement efforts, however, California emphasized that given issues associated with control over local law enforcement agencies, the State could face challenges in complying with

Over the course of 10 teleconferences conducted during the months of August, September and December 2019, and part of January 2020,⁸ the project workgroup considered and took action on nearly 170 comments and questions submitted during the second comment period.⁹ Ultimately, the workgroup modified—to varying extents—28 recommendations, added one, and revised the **Recreational Boating Incident Report Decision Matrix**, the graphic representation of recommendations outlined in Section 2 (Determining which incidents require a report to the Coast Guard).

In early February 2020, the [group's resolution of all of the comments and questions](#) was posted for the record to the [NASBLA Connect Community](#) dedicated to this project. On Feb. 12, the package of revised recommendations and supplemental documents was released in preparation for a [Feb. 27 interactive session](#) at NASBLA's State RBS Workshop in Lexington, Ky. The session gave the State and Coast Guard participants a chance to ask questions,¹⁰ talk about what did and did not change in response to the stakeholders' feedback, and offer additional input to recommendations where there were still mixed opinions.¹¹

Efforts to inform stakeholders about the project and gather remaining reactions to the revised recommendations continued through May 2020. In the wake of the February workshop discussion, the States were encouraged to continue reviewing the revisions and submit any remaining comments for workgroup consideration in the [OPEN COMMENT community discussion thread](#). While the original plan was to close the discussion thread on March 31 and wrap up phase one shortly thereafter, the deadline was not strictly enforced in light of the escalating disruptions associated with the intervening COVID-19 pandemic. Nevertheless, even with the extension, no additional feedback was received through that solicitation.

During an April 22 virtual meeting of the Coast Guard's National Boating Safety Advisory Council (NBSAC), three members of the project workgroup [updated](#) Council members on the status of the work, highlighted the recommendations, described the alignment with past NBSAC recommendations and resolutions for action in this area, and outlined next steps, including the intention to conduct a final, national teleconference to wrap up phase one of the project.

aspects of the recommended two-tier incident reporting structure if such policy action were to be taken absent federal statutory or regulatory change.

⁸ Sessions were conducted in 2019 and 2020 on Aug. 14, 20, and 27; Sept. 3, 20, 24; Dec. 16, 18; and Jan. 8, 13.

⁹ Affecting 76 of the more than 125 recommendations that had been presented to the States for review.

¹⁰ State participant requests for clarification of a few terms used in the recommendations reinforced the importance of additional guidance moving forward. For example, one question was regarding the meaning of "properly" in reference to "properly docked or moored vessels" appearing in the 2.2 series and 2.3.12 and on the Recreational Boating Incident Report Decision Matrix. The workgroup did not modify the language of the recommendations using the term, but did suggest a basic definition for this condition** with the expectation that ERAC would develop additional guidance as part of its charge to develop "best practices" for implementing the recommendations. ** *A properly docked or moored vessel means secured to an object designed for permanent docking or mooring, not to a rig or piling.*

¹¹ The State and Coast Guard representatives discussed two of the "Non-Reportable Events" (presented in the 2.3 series) where there were differences in perspectives—in one case, differences between the States and Coast Guard, and in the other, mixed perspectives among States. To give the workgroup – and Coast Guard – additional information on the States' sentiment toward both items, workshop participants were polled on site for their level of agreement with the language of 2.3.1 (re Voluntary departure injuries/fatalities) and 2.3.2 (Towed watersports injury exceptions). The [quick poll](#) resulted in 45 responses. On the Voluntary departures' event, 84 percent of workshop respondents strongly agreed or agreed with retaining that exception as written. On the Towed Watersports event, results were less distinct as 64 percent strongly agreed or agreed, and 33 percent were on the fence. Given the States' position on the issue of voluntary departures—over the years and in the context of the current project—the workgroup ultimately retained the language of that Non-Reportable Event as written. And, while the workgroup did entertain possible alternatives to clarify the intent of the Towed watersports' injury exception, ultimately it decided to retain the language of that Non-Reportable Event as well; members did, however, acknowledge that additional guidance and training would need to be developed to ensure clear, consistent application of the exclusion.

On May 19, the workgroup sponsored that teleconference with a [presentation](#) that mirrored the February workshop session and drew participants from 21 States. The plan to close phase one at the end of May was announced during the virtual event with [reminders in follow-up posts to the OPEN COMMENT community discussion thread](#); however, along with the announcement was an invitation offering yet one more chance to identify any remaining issues. Specifically, the States' BLAs—as voting members on NASBLA business—were encouraged to speak up about any remaining hesitations regarding the package of project recommendations or any dissatisfaction with the workgroup's resolution of feedback to date. Only one State took the opportunity to request further clarification and guidance regarding the proposed “two-tier” reporting structure described in the recommendations in sections 1 and 3, both in the context of its current reporting relationships with local law enforcement agencies and as to how it might address future compliance issues associated with changes to the national reporting structure.¹²

THE CONSENSUS RECOMMENDATIONS

The project recommendations are presented in eight sections. They cover the structure of reporting; incidents that should (or should not) be reported to the Coast Guard; reporting procedures; vessel determinations; report data elements; future report forms; roles and relationships; and vessel and bridge safety issues. The Recreational Boating Incident Report Decision Matrix graphic, summary of report data elements, and lists of terms and definitions associated with five of the incident report categories are appended to the recommendations.

The recommendations themselves are not presented in the form of regulatory language or formal policy provisions. While the project workgroup took care to select words and phrases that would capture and clarify their intent, the recommendations remain **expressions of preferred policy directions, courses of action, and options for consideration**. Upon a formal vote of acceptance by NASBLA membership, this package of consensus recommendations will be passed to the Coast Guard to inform the direction it ultimately takes in drafting actual federal regulatory language and policy documentation.

Minimal explanation about each item is presented in the pages that follow; however, the [Resource Document \(v. June 2020\)](#) presents more detail in the form of key discussion points about the recommendations (including outcomes from the comment solicitations), descriptions of workgroup intent, relationships to existing regulation or policy, and other historical background. It is intended as a reference both for the States and the Coast Guard.

As used in the Recommendations that follow:

- **“Boating incident”** is used in place of “boating accident.” It is a general term referring to a recreational boating event that results in an injury, fatality, property damage, and/or vessel that is a total loss.
- **“State”** means any of the 50 States, the District of Columbia, or the five U.S. territories—American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands.

¹² A subgroup of the project workgroup met via teleconference on May 28, 2020, with representatives from California to provide additional explanation and resources.

TABLE OF CONTENTS

1. INCIDENT REPORTING STRUCTURE 1

2. DETERMINING WHICH INCIDENTS REQUIRE A REPORT TO THE COAST GUARD 2

3. GATHERING DATA, REVIEWING, AND SUBMITTING FINAL REPORTS..... 6

4. VESSEL DETERMINATIONS..... 7

5. INCIDENT REPORT DATA ELEMENTS, FIELDS, AND DEFINITIONS..... 8

6. REPORT DATA INPUT FORMATS 14

7. ROLES AND RELATIONSHIPS..... 15

8. VESSEL SAFETY ISSUES, DEFECTS, RECALLS, AND BRIDGE ALLISIONS 15

2017-2020 WORKGROUP MEMBERS – PHASE ONE.....17

1. INCIDENT REPORTING STRUCTURE: INITIAL NOTIFICATION OF AND FOLLOW-UP ON A RECREATIONAL BOATING INCIDENT

The current national reporting structure set in federal regulation relies on the recreational boater—owner or operator—to notify the State, and to submit a detailed report to the State on an incident. In 2009, a “two-tier” reporting structure was among [15 recommendations](#) put forth by a task force of the [National Boating Safety Advisory Council \(NBSAC\)](#). In 2016, NBSAC reaffirmed support for the recommendations in [Resolution 2016-95-1](#), and encouraged the Coast Guard to address them. That same year, NASBLA membership approved [Resolution 2016-1](#) encouraging the Coast Guard to factor into its rulemaking the significant recommendations for reporting improvements that emerged from both NBSAC and NASBLA over the prior decade.

The current project workgroup considered the implications of instituting such a two-tier reporting structure where the first tier would require initial notification from the people involved in the incident (and the gathering of basic information about the incident), and the second tier would involve a follow-up by law enforcement on the incident (with the fuller collection of information). Following are the specific recommendations on the incident reporting structure with regard to initial notification and follow-up.

1.1. The operator of a vessel should be required to notify law enforcement of an incident without delay, by the quickest means possible.

Current federal regulation (33 CFR 173.53) requires that an operator notify, without delay, by quickest means available, the nearest reporting authority (listed in Appendix A of Part 173—i.e., the State) in the event a person dies or disappears from a vessel. This recommendation would update the provision regarding “**who**” should make the notification and “**to whom**” in the context of a two-tier system of initial notification and more detailed report follow-up. This recommendation would also expand the “breadth” of cases that would require immediate notification: current regulation only requires immediate notification for deaths and disappearances, whereas this recommendation would require immediate notification for any incident.

1.2. The operator should have the primary, legal responsibility for notifying law enforcement. If the operator is deceased or otherwise incapacitated, however, the vessel owner or vessel occupants should be required to notify law enforcement of an incident without delay, by the quickest means possible.

Current federal regulation (33 CFR 173.53) requires that an operator notify, without delay and by quickest means available, the nearest reporting authority in the event a person dies or disappears from a vessel. The regulatory provision goes on to require that when the operator cannot give notice, each person on board—the occupant(s)—must notify the “casualty reporting authority” or determine that it has been notified. This recommendation, like 1.1, would update and clarify aspects of those provisions regarding “**who**” should make the notification and “**to whom**” in the context of a two-tier system of initial notification and more detailed follow-up.

1.3. The State should require notification from an operator or owner.

Current federal regulation (33 CFR 173.53) requires that an operator make the notification for a death or disappearance, and in the event the operator cannot give notice, the requirement falls to the occupant(s). This recommendation would update existing federal requirements for notification in the context of a two-tier system, and acknowledge that enforcement of the federal requirement is passed to the States.

1.4. The State Reporting Authority should accept notification from an operator, owner, or other entity.

Current federal regulation (33 CFR 173.53) requires that an operator make the notification of a death or disappearance, and in the event the operator cannot give notice, the requirement falls to the occupant(s). This recommendation would update the requirement in the context of the two-tier system and the notification of an incident.

1.5. The State should have the means to impose a penalty on the vessel operator or owner for failure to notify law enforcement of an incident.

In line with recommendation 1.3. on the State requiring notification, this recommendation is a component of the recommended updates to existing federal requirements for initial notification in the context of a two-tier system; it acknowledges that the authority and enforcement of the federal requirement is (and would continue to be) passed to the States via the grant agreement with the Coast Guard. It would not preclude the Coast Guard from also imposing penalties for failure to notify.

1.6. Federal provisions should identify the minimal required information to be collected upon notification of an incident. [The “minimal required information” is the preliminary information about an incident (date, time, location, vessel type(s), and numbers of deceased and injured) as described in recommendation 1.9.]

Current federal regulations require the operator to submit the casualty or accident report in cases where the stated reporting thresholds are met (33 CFR 173.55), and to provide all of the detailed report information requested in 33 CFR Part 173.57. In the context of a two-tier reporting system, this recommendation acknowledges that information collected upon notification still should be established in federal regulation, but the requirement would be for the minimal information described. See related recommendations 1.7 and 1.9.

1.7. The State should determine how best to obtain the minimal required information--the preliminary information about an incident (date, time, location, vessel type(s), and numbers of deceased and injured) as described in recommendation 1.9)--to be collected upon notification (e.g., receipt from the operator; gathered by officer/investigator; etc.).

In line with recommendations 1.6 and 1.9., this recommendation would give the States discretion in determining how to gather the preliminary information about the incident. The method would not be established in federal regulation, but in “best practices” developed to assist States in implementation.

1.8. The State Reporting Authority should ensure that an investigation is conducted after notification of an incident.

This recommendation 1.8 pertains to the second tier in the proposed two-tier incident reporting system—that is, follow-up by law enforcement with the more detailed gathering of information to identify potential causes of or contributors to the incident. The federal regulatory reporting thresholds (presented in recommendations under 2.1.2) and other conditions presented in recommendations under 2.1 would need to be met and would be a preamble in the revised regulatory scheme (see also related recommendations under **Section 3. Gathering all incident data, reviewing and submitting final reports to the Coast Guard** and **Section 5. Incident report data elements-fields-definitions**).

1.9. If the future reporting system can be designed to facilitate the State Reporting Authority’s entry and submission of preliminary information about an incident to the Coast Guard,* then within 15 days of being notified of an incident, the State Reporting Authority should submit the incident date, time, location, vessel type(s), and numbers of deceased and injured so that the Coast Guard will have timely, accurate data for its performance measurement requirements.

**For example, design of system capable of overwriting and updating the information in a way that would not require manual or multiple entry of information to a record—i.e., creating a unique record ID for reuse to update or to delete initial incident information that ultimately is deemed to be false or otherwise “non-reportable.”*

Current federal regulations require the operator to submit the casualty or accident report in cases where the stated reporting thresholds are met (33 CFR 173.55), and to provide all of the detailed report information requested in 33 CFR Part 173.57. The State, in turn, is required to “forward” the report to the Coast Guard within 30 days of receipt of it. The previous recommendations (1.6, 1.7, 1.8) describe the proposed modification to collecting information in the context of a two-tier reporting system, but do not identify the timeline for submitting either the preliminary or final incident report data to the Coast Guard. This recommendation describes the potential timeframe for submitting the preliminary incident data, but with one large caveat—that a revised reporting system would facilitate, not burden, the State’s compliance with such a timeframe.

2. DETERMINING WHICH INCIDENTS REQUIRE A REPORT TO THE COAST GUARD (see Recreational Boating Incident Report Decision Matrix for graphic representation)

Current federal regulation (33 CFR 173.55) requires submission of a report when, as a result of an incident involving the boat or its equipment, a person dies or disappears, a person is injured and needs treatment beyond first aid, there is \$2,000 or more damage to the vessel(s) or property, or there is a complete loss of a vessel. Under a two-tier incident reporting system, regulatory thresholds and other conditions would still need to be met to prompt a report requirement. And, just as is currently the case for reports received, not all incidents for which notifications are made may ultimately be deemed “reportable” within the National Recreational

Boating Safety (RBS) Program—that is, requiring submission of a report to the Coast Guard. Examples of the types of incidents that reflect current Coast Guard national RBS policy are listed in the introductory section of the Coast Guard’s annual statistics publication.

The following recommendations update and clarify the conditions under which a recreational boating incident would require a report to the Coast Guard. While updates to the federal report thresholds would require regulatory action, other conditions described could be accommodated and implemented via policy. **For a graphic representation of these recommendations, see the Recreational Boating Incident Report Decision Matrix.**

2.1. Incident should meet three initial, qualifying conditions:

2.1.1. Occurred on State or concurrent jurisdictional waters;

2.1.2. Involved at least one of the federal regulatory reporting thresholds:

2.1.2.1. A person dies.

This recommendation aligns with current federal regulation (33 CFR 173.55). However, issues associated with this threshold would benefit from policy clarification.

2.1.2.2. A person is injured. For purposes of meeting this threshold, an injury is defined as a physical harm or hurt for which a person received treatment by a medical professional at a licensed medical facility. Observation without treatment is not considered an injury.

Current federal regulation (33 CFR 173.55) defines the injury threshold as requiring “... medical treatment beyond first aid.” The recommended revisions to the federal threshold would require regulatory and policy modification, as well as further guidance to the States in the form of “best practices” for its application, especially with regard to the meaning of “observation without treatment.”

2.1.2.3. A person disappears from the vessel under circumstances that indicate likely death or injury.

This recommendation aligns with current federal regulation (33 CFR 173.55). However, an issue with this threshold—regarding reporting disappearances, some of which could involve a hoax or fraud—would benefit from policy clarification and an associated “best practice.”

2.1.2.4. Damages to the vessel(s) and other property are ≥ \$2,000, with the following qualifications:

2.1.2.4.1. For the notification stage, the \$2,000 amount would be a general estimate based on damages associated with all vessels and property involved in incident. Exceptions are described in recommendations 2.1.2.4.2 and 2.1.2.4.3.

2.1.2.4.2. The costs of damages to the vessel’s structural, mechanical, and electronic components or to other associated equipment of the vessel, and the material costs of restoring boating infrastructure should be included in calculations to determine whether the incident meets this dollar threshold.

2.1.2.4.3. The value of personal property that may have been on the vessel at the time of the incident should be excluded from consideration (“Best practices” should further describe/define what personal or non-vessel property means).

The basic damages recommendation retains the current dollar threshold set in federal regulation (33 CFR 173.55). States would still have the option of maintaining a lower dollar amount threshold.

2.1.2.5. The vessel is a total loss. "Total loss" is defined by situations where: the vessel is known or presumed to have been destroyed; is presumed to have sunk and its location is unknown; has sunk and its location is known, but it is unrecoverable or

the owner has chosen not to recover it; and where it is a constructive total loss, i.e. the vessel is so severely damaged that it is not financially worth repairing.

Current federal regulation (33 CFR 173.55) includes “complete loss of any vessel” as one of the federal report thresholds. This recommendation would amend the language to “total loss” and provide a definition.

2.1.3. [Incident] Involved at least one of the following:

2.1.3.1. A vessel used for recreational purpose.

2.1.3.2. A State-numbered uninspected vessel.

These conditions align with current federal regulation (33 CFR 173 Subpart C, 173.51) on casualty and accident reporting. The requirements apply to vessels operated for recreational purposes, and that are required to be numbered under that Part. They do not apply to vessels subject to inspection under Title 46 USCG Chapter 33. See the [Resource Document \(v. June 2020\)](#) for a discussion of issues associated with state-numbered uninspected commercial fishing vessels.

2.2. Incident should be further evaluated for a federal reporting requirement based on these conditions:

These qualifiers are based on the vessel’s operational status. The conditions are not currently specified in regulation, but do reflect issues of particular interest to the National RBS Program and its goals.

2.2.1. For properly* docked or moored vessels, determination should first be made as to whether the incident involved one or more of the following events:

2.2.1.1. Carbon monoxide exposure

2.2.1.2. Stray electrical current that was attributed to the vessel

2.2.1.3. Fire/explosion that occurred while fueling or starting the vessel or that was attributed to the vessel’s equipment or electrical components.

A report to the Coast Guard is required if the incident is NOT covered by one of the “Non-Reportable Events” (for list, see recommendations under 2.3 and page 2 of the Recreational Boating Incident Report Decision Matrix).

* “Properly” as it applies to docked or moored vessels will be further defined in “best practices” for implementing the recommendations. However, it should generally be taken to mean *secured to an object designed for permanent docking or mooring, not to a rig or piling.*

2.2.2. For anchored vessels, the list of “Non-Reportable Events” should be consulted (for list, see recommendations under 2.3 and page 2 of the Recreational Boating Incident Report Decision Matrix). A report to the Coast Guard is required if the incident is NOT covered by one of the Non-Reportable Events.

2.2.3. For vessels that had an operational status other than properly docked/moored, or anchored, determination should first be made as to whether the incident was the result of any of the following:

2.2.3.1. operation

2.2.3.2. vessel’s equipment

2.2.3.3. vessel’s construction

2.2.3.4. loading of the vessel

2.2.3.5. vessel’s seaworthiness

2.2.3.6. environmental forces

2.2.3.7. vessel's machinery

If the incident met at least one of these criteria, the list of “Non-Reportable Events” should be consulted (for list, see recommendations under 2.3. and page 2 of the Recreational Boating Incident Report Decision Matrix). A report to the Coast Guard is required if an incident is NOT covered by one of the Non-Reportable Events.

2.3. Non-Reportable Events:

Not all incident reports received ultimately are determined by the Coast Guard to be “reportable” at the federal level, whether by regulation or policy. The recommendations associated with 2.1. and 2.2. (above)—in the context of the proposed two-tier system—are intended to guide the decision as to whether or not an incident would require a report to the Coast Guard. This recommendation 2.3, with list of events, is intended to further describe the types of scenarios for which a **federal** report would **not** be required (*though they may meet a State’s reporting requirements*). Currently, the primary source of examples of incident types that do and do not reflect current Coast Guard national RBS policy is found in the introductory section of the Coast Guard’s annual recreational boating statistics publication. The scenarios described in this list could be updated via policy.

2.3.1. Non-Reportable Event. Voluntary departure injuries/fatalities: The only event involved the injury or death of a person who voluntarily entered the water from a vessel, the shore, or a place of inherent safety.

2.3.2. Non-Reportable Event. Towed watersports injury exceptions: A person suffers an injury or death while participating in towed watersports (including wake surfing) that wasn’t due to the operation or equipment of a vessel.

2.3.3. Non-Reportable Event. Vessel use exceptions: The only vessel(s) involved were used solely for governmental, criminal (activities in the course of a criminal offense, with the exception of impairment and boating safety-related offenses), disaster response, or sanctioned activity (when practicing for and/or competing in an approved or permitted organized or sanctioned race, event or training program, and where adequate safety precautions are in place).

2.3.4. Non-Reportable Event. Self-inflicted injuries/fatalities: Self-inflicted injuries were the cause (examples include: self-inflicted wounds, ingestion of controlled substances or poison, gunshot wounds).

2.3.5. Non-Reportable Event. Assaults: A person suffers an injury, dies, or is missing as a result of an assault by another person or persons while aboard a vessel.

2.3.6. Non-Reportable Event. Medical event: An incident caused by a person who experienced a medical emergency when the vessel did not contribute, and no other underway vessel was involved. A medical event does not refer to physical impairments such as poor eyesight, poor hearing, or mobility difficulties.

2.3.7. Non-Reportable Event. Watercraft not a “vessel” *: The only watercraft involved were not considered “vessels” * (examples include: a pool float toy, innertube, float tube propelled by feet or fins, surfboard, submersible, diving propulsion aid, stock tank, air mattress, fish -tote, floating dock, unmodified log, snowmobile, and/or seaplane).

* Per 1 U.S. Code § 3 (Vessel as including all means of transportation), “[T]he word “vessel” includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the water. Per recommendation 4.1.1., for purposes of vessel determinations within the context of the national RBS program and casualty reporting, the parameters for a “vessel” should be a watercraft—capable of holding at least one person—that is intended to be propelled through the use of a paddle, motor, sail, etc., as a means of transportation on the water.”

2.3.8. Non-Reportable Event. Foreign flag vessels: The only vessel(s) involved were foreign flag vessels.

2.3.9. Non-Reportable Event. Natural phenomenon: A natural phenomenon was involved (such as interaction with marine life (e.g., carp causes injury to person) and interaction with nature (e.g., mountain side falls onto vessel causing damage)) when no other event occurred and when no other federal regulatory reporting threshold was met.

2.3.10. Non-Reportable Event. Launching/recovery injuries, fatalities, damages: Launching or recovery when the vessel is not on the water and capable of use (free from the apparatus from which it is being launched).

2.3.11. Non-Reportable Event. Boarding/departing injuries/fatalities: A person suffers an injury while boarding or departing a docked, moored, or anchored vessel, when no other event occurred and when no other federal regulatory reporting threshold was met.

2.3.12 Non-Reportable Event. Lack of / improper maintenance: The unoccupied, properly-docked or -moored vessel(s) encountered damages or loss as a result of lack of or improper vessel maintenance

2.4 “Best practices” should be developed to accompany the Recreational Boating Incident Report Decision Matrix.

The Matrix—the graphic representation of the decision criteria presented under recommendations 2.1. and 2.2. above—was developed to provide an easy reference for an officer/investigator to use to determine whether an incident will require a report to the Coast Guard vice reviewing a lengthy list of statements such as those that currently appear in the introductory section of the Coast Guard’s annual recreational boating statistics reports (see, for example, [pages 10-11 of the 2019 statistics publication](#)). The “Non-Reportable Events” section of the Decision Matrix (presented as recommendations 2.3.1 through 2.3.12 above) was designed to weed out those incidents that could not be prevented through education, enforcement, or regulation.

3. GATHERING DATA, REVIEWING, AND SUBMITTING FINAL REPORTS

Current federal regulations require the operator to submit the casualty or accident report in cases where the reporting thresholds are met (33 CFR 173.55), within set timeframes, and to provide all of the detailed report information requested in 33 CFR Part 173.57. The State Reporting Authority, in turn, is required to forward the report to the Coast Guard within 30 days of receipt of the report. The recommendations under **Section 1. Incident Reporting Structure: Initial notification of and follow-up on recreational boating incident** described the revised collection of information in the context of initial notification within the two-tier reporting system. They would require an update of current regulatory provisions to accommodate a 15-day timeline from the date of notification for the State Reporting Authority’s submission of the preliminary data to the Coast Guard. The recommendations below, which also would require regulatory change, describe a modified timeline for submitting all information on an incident as part of the second (investigative) tier; present a preliminary look at the review requirements and relationship of these activities to determine a State’s compliance; and describe the terms of the Coast Guard’s review and acceptance of an incident report.

3.1 Within 60 days of notification of an incident, the State Reporting Authority should submit all information on that incident to the Coast Guard. “All information” means the information collected on the required data elements described in the recommendations under Section 5. “Notification” means the date on which the State Reporting Authority is notified of / is made aware of an incident.

3.2 There should be a requirement for the State Reporting Authority to review the final incident report (containing all information collected on the required data elements described in the recommendations under Section 5). The outline below reflects initial Coast Guard thinking, shared with the project workgroup in response to concerns expressed by State members about setting timelines for the review and uncertainties about the relationship to measures of “compliance.” The Coast Guard deferred drafting formal language on compliance pending final approval of the consensus recommendations.

The Coast Guard representatives to the policy project workgroup shared the following **basic concepts from their initial, internal discussions on “compliance”**:

- At the end of the 60 days of notification of an incident, the State Reporting Authority would be required to enter all information on the required data elements described in the recommendations under Section 5, along with any caveats about outstanding information (such as coroner’s or laboratory reports). The “clock” would stop at that point, and the Coast Guard would use the information gathered within 60 days as a mark of compliance.
- If more information were to become available on an incident, the record could be updated, and should be updated before data are pulled for the annual, national statistics publication.
- Regardless of whether updated data would be used in the annual statistics publication, the State would still be expected to update its record(s). However, an update would **not** be used by the Coast Guard as a measure of compliance.
- To facilitate this process, the future reporting system should accommodate the incident record status so that the State Reporting Authority can indicate whether all of the incident report information was reviewed and expected as final or whether information was reviewed but was not yet final due to outstanding information.

3.3 The Coast Guard should review and accept the final report from the State Reporting Authority as is or request clarification on missing or confusing information within the report.

4. VESSEL DETERMINATIONS

1 U.S.C. § 3 provides the foundation for the definition of a vessel. It is broad, encompassing “... every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.” 33 CFR Part 183, which prescribes standards and regulations for the manufacturing of boats and associated equipment, provides a definition of a boat that is not used for boat incident reporting purposes. The recommendations presented in this section, which do not propose to modify the aforementioned statutory and regulatory definitions, are associated with the determination of which watercraft are “vessels” for purposes of the national RBS program and the Coast Guard’s requirements for recreational vessel incident reporting.

Currently, the Coast Guard prepares vessel determinations whenever there is a request to do so. Usually, the request originates from a State Boating Law Administrator (BLA). The Coast Guard uses guidance from its Legal Department for these determinations, focusing on whether existing regulations apply to a vessel, whether a vessel is “practically capable” of being used as a means of transportation, and whether the National RBS Program would be able to make a difference in the operation of such craft (for instance, through education).

4.1. DETERMINING WHICH WATERCRAFT ARE “VESSELS”

4.1.1. Per 1 U.S. Code § 3 [Vessel as including all means of transportation], “[T]he word “vessel” includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on the water.”

For purposes of vessel determinations within the context of the national RBS program and casualty reporting, the parameters for a “vessel” should be a watercraft—capable of holding at least one person—that is intended to be propelled through the use of a paddle, motor, sail, etc., as a means of transportation on water.

4.1.2 At the national level, the Coast Guard determines whether certain watercraft are “vessels.” There should also be a list of the watercraft that are determined NOT to be “vessels.”

4.1.3 Examples of watercraft that the Coast Guard should classify as NOT being “vessels”—for purposes of the national RBS program—include: a pool float toy, innertube, float tube propelled by feet or fins, surfboard, submersible, diving propulsion aid, stock tank, air mattress, fish tote, floating dock, unmodified log, snowmobile, and/or seaplane.

4.1.4 Currently, vessel determinations are made by the Coast Guard on an as-requested basis. In the future, a standing group of State and Coast Guard representatives and other

stakeholders as may be identified should be formed to help make vessel determinations periodically. When the Coast Guard undertakes its internal review of the entire vessel determination process (per the mention in recommendation 4.1.5.1) and makes any revisions to the process, it should also describe how a state would request a vessel determination under such process.

4.1.5 Following are recommendations regarding certain vessel determinations already issued by the Coast Guard:

- 4.1.5.1 “Paddleboard” and “Kiteboard” have both been deemed by the Coast Guard to be vessels when “outside the narrow limits of a swimming, surfing or bathing area.”

Recommendation: “Paddleboard” and “Kiteboard” should be retained on the current list of vessel determinations pending the Coast Guard’s internal review of the entire vessel determination process.

- 4.1.5.2 “Argo Amphibious ATV” is a device equipped with 6x6 or 8x8 wheel drives capable of land speeds up to 22 mph and floating on water with speeds up to 2.5 mph, using tire treads to propel through the water; some models also may be equipped with an outboard motor. While on the water, the device is considered by the Coast Guard to be a vessel.

Recommendation: This vessel determination—the vessel term “Argo Amphibious ATV” and its definition—should be revised so that it is more representative of all amphibious craft and not just specific to one manufacturer.

- 4.1.5.3 “Gold dredge” is a device of traditional hull types (e.g., monohull, pontoon, etc.), propelled by propulsion machinery (typically outboard motors) used to mine gold off the ocean floor. The devices have been deemed vessels by the Coast Guard.

Recommendation: “Gold dredge” should be retained on the list of devices the Coast Guard has determined to be vessels.

- 4.1.5.4 “Float tube” is a tube (typically encased rubber inner tube(s) or a hard-plastic tube) that has a built-in seat, with the operator’s legs sticking through the seat and dangling in the water below the tube. They often have small storage compartments for fishing or gear. The operator, typically a fisherman, wears swim fins to manually steer and/or propel the craft, and often wears chest waders to maintain heat and stay dry. Non-motorized float tubes are propelled by the use of the swim fins; motorized float tubes are propelled by an electric or hand pump motor, with the operator using the swim fins to steer the craft and sometimes to assist in its propulsion.

Recommendation: A “Float Tube” that is propelled by feet or fins should not be considered a “vessel” as it is similar to an unmodified innertube. A motorized “Float Tube,” on the other hand, should be considered a “vessel” (i.e., it would be designated as an “Open Motorboat”).

5. INCIDENT REPORT DATA ELEMENTS, FIELDS, AND DEFINITIONS (see also Incident Report Data Elements summary chart, and the five report category lists

Current federal regulation (33 CFR 173.57) details the collection of information on a recreational boating incident report that is then submitted by the State Reporting Authority to the Coast Guard according to the requirement in 33 CFR 173.55. Over the years, additional incident data elements, beyond what are prescribed in regulation, but still within the scope of the National RBS Program, have been included for collection in support of the goals and strategies of the Program. The compilation is then presented by the Coast Guard in its annual recreational boating statistics under the authority of 46 U.S.C. § 6102.

Recommendations presented in this document thus far have outlined the gathering and submission of preliminary information following notification of an incident (recommendation 1.9) and the projected timeline for the State Reporting Authority to submit “all information” about that incident to the Coast Guard (recommendation 3.1). In developing the following series of recommendations as to what should constitute “all information,” project workgroup members weighed the most critical components of a final report to the Coast Guard—that is, the data elements or broad categories of data for national collection along with the related fields or descriptive selections for each element.

The data currently prescribed in 33 CFR 173.57 and on the Coast Guard Boating Accident Report form (CG-3865) was reviewed and evaluated for relevance and utility. Elements were identified for retention, modification, deletion, or in several cases, were identified as worthy of new collection. The data elements are presented in this section and also summarized in the **Incident Report Data Elements Summary Chart**. In this section, when there is a large volume of information, the detail is not presented in the recommendation, but instead appears in one of the five appended report category lists. Unless otherwise noted as optional/voluntary/at the State’s discretion, the recommendations are for mandatory collection nationally, with all jurisdictions employing the same terms and definitions for the sake of consistency and accuracy; for easier analysis of critical factors associated with boating incidents; and to help inform development of national- and State-level safety policies, programs and campaigns. The expectation is that while the incident report data collection form would be referenced in an updated regulation, the actual data items would be incorporated into a policy document that could be refreshed more frequently to adapt to changing recreational boating safety issues and needs.

5.1 ENVIRONMENTAL / EXTERNAL

- 5.1.1 Data on the Overall Weather Conditions should continue to be collected, with preference for the following basic options: Clear, Cloudy, Foggy/Hazy, Raining, Snowing, Other. Consideration should be given to providing guidance for the selections in a “best practices” document.
- 5.1.2 Data on Visibility should continue to be collected, with preference for the following basic options: Good, Fair, Poor. Consideration should be given to developing parameters or other guidance in a “Best Practices” document to help better define these Visibility options.
- 5.1.3 Data on Wind should continue to be collected, with preference for the following options: no wind (0 mph), light (1-6 mph), moderate (7-14 mph), strong (15-25 mph), stormy (>25 mph), and an additional option of "unknown."
- 5.1.4 Data on Air Temperature should continue to be collected, but with the following changes: mandatory selection from a range of air temperatures (in Fahrenheit) defined as “Under 30, 30-39, 40-49, 50-59, 60-69, 70-79, 80-89, 90-99, 100 and above, and unknown”; and a field for voluntary reporting of an actual/estimated temperature (in Fahrenheit).
- 5.1.5 Data on Day and Night as light conditions should continue to be collected, but with better definition (considering sunrise to sunset--inclusive of dawn and dusk--as "Day" and adding a check box for "twilight").
- 5.1.6 Data on Overall Water Conditions should continue to be collected, with preference for the following options as defined (and from which there could be multiple selections): calm (waves 0 to 6”), choppy (waves >6” to 2’), rough (waves >2’ to 6’), very rough (waves >6’), strong current, other, and unknown.
- 5.1.7 Data on Water Temperature should continue to be collected, but with the following changes: mandatory selection from a range of water temperatures (in Fahrenheit) defined as “Under 28, 28-39, 40-49, 50-59, 60-69, 70-79, 80-89, 90 and above, and unknown”; and a field for voluntary reporting of an actual/estimated temperature (in Fahrenheit).

5.2 WHERE AND WHEN THE INCIDENT OCCURRED

- 5.2.1 The collection of Coordinates for the incident should be mandatory IF the future reporting system can facilitate documentation based on existing geographical information when the

coordinates are not otherwise readily available. Appropriate, related guidance and a standard format for entering the data should be developed.

- 5.2.2 Other elements associated with location, including names of the County, State, Body of Water, and Type of Body of Water, should be collected. Location on Water should be retained, but no attempt should be made to try to standardize entries
- 5.2.3 Data on the Nearest City/Town should be retained for voluntary collection.
- 5.2.4 The Date and Time of the Incident should continue to be collected. Time of the incident should be recorded in the 24-hour time format, and the reporting system should afford the ability to mark a time as "unknown."
- 5.2.5 There should be an element and field that accommodates the State's recording of the Date the State Reporting Authority was notified of the incident.

5.3 VESSEL CHARACTERISTICS

- 5.3.1 The Number of Vessels involved in the incident should continue to be collected.
- 5.3.2 The Name, Make, Model, Model Year, HIN, Registration Number and Document Number (if available) should be collected.
- 5.3.3 The Ownership Status of the Vessel should continue to be collected. The preferred options are Owned, Rented, and Borrowed, with the addition of an "Other" field.
- 5.3.4 The Number of Engines should continue to be collected.
- 5.3.5 The collection of Engine Manufacturer data should only be mandatory if the engine is determined to be a factor in the incident. If the engine manufacturer data is not available (e.g., if the engine is not recoverable), then that should be documented in the system.
- 5.3.6 The collection of the Engine Serial Number should be mandatory only if the engine is determined to be a factor in the incident. If the serial number is not available (e.g., if the engine is not recoverable), then that should be documented in the system.
- 5.3.7 The Engine Drive Type should continue to be collected, with drop-downs for the CFR-authorized options to incorporate additional engine styles. The options should be Inboard, Outboard, Pod Drive, Sterndrive, Unknown, and Other. Airboat Engine should be included in a drop-down for Inboard. Shallow / Surface Drive should be included in a drop-down for Outboard. All of the engine drive types should be more clearly described in "Best Practices."
- 5.3.8 Horsepower/CCs/Pounds of Thrust should be collected. If the data is not available, then that should be documented in the system.
- 5.3.9 There should be mandatory collection of data on Overpowering if it was a factor in the incident. There should be a checkbox to indicate overpowering and a text field to document the rated horsepower.
- 5.3.10 The Fuel Type should continue to be collected, with the following options: the CFR-authorized Gas, Diesel, Electric, and Other. Additional fields should include No Fuel and Unknown.
- 5.3.11 The Hull Material Type should continue to be collected, with the following options: the CFR-authorized Fiberglass, Aluminum, Plastic, Rubber/vinyl/canvas, Steel, Wood, Other, and Unknown. The primary hull material should be identified for each vessel so that data will match VIS/SNS. The State should be able to document secondary and tertiary hull material types if the vessel is made of more than one material. There should be guidance in the "best

practices” document as to which primary hull material type should be selected in the event a vessel is constructed with more than one material.

- 5.3.12 The list of Vessel Subtypes that was approved by NASBLA membership in 2013 as part of the NASBLA/ERAC and USCG Terms and Definitions Project and that roll up into the primary vessel types mandated in CFR should be made available for the States’ use as part of the anticipated revamp of the reporting system. The States’ collection of data on these subtypes would be voluntary; however, if a State chooses to record vessel subtypes, it should select from the subtype options on this list. (See the 2013 Vessel Sub-Types for Use with Authorized Vessel Types approved list with markups and notes reflecting the current project’s recommendations.)
- 5.3.13 The Vessel Types (included as authorized and defined per the Coast Guard’s 2012 Final Rule on SNS, VIS, BARD; 33 CFR 173.3 and 173.57), should be modified to remove one of the authorized types---"Inflatable Boat." If such a CFR change occurs, then the vessel subtypes list from the 2013 NASBLA/ERAC and USCG Terms and Definitions Project referenced above (in 5.3.12) should also be modified to move “whitewater raft” (which is currently a subtype under Inflatable) to the vessel type “Rowboat.” (See the 2013 Vessel Sub-Types for Use with Authorized Vessel Types approved list with markups and notes reflecting the current project’s recommendations.)
- 5.3.14 Whether or not "Inflatable Boat" is ever removed as one of the Vessel Types authorized in CFR, there should still be a separate check box on the report form to record Inflatable Construction. (See the 2013 Vessel Sub-Types for Use with Authorized Vessel Types approved list with markups and notes reflecting the current project’s recommendations.)
- 5.3.15 The Overall Length of the Vessel (in feet) should continue to be collected.
- 5.3.16 The data elements Depth from transom to keel and Beam width at widest point, both currently written into regulation, should be removed from regulation and future reporting requirements.
- 5.3.17 There should be mandatory collection of Safety equipment/gear recorded at the scene of incidents involving paddlecraft. This should help in determining whether the equipment carried/available was appropriate for mitigating the risks involved with the specific type of vessel(s) and activity.

The specialized lists of items should be:

- Standup paddleboard: Wet suit; Drysuit; Paddle (whether it was appropriate for vessel, and whether it was intact); Leash; Helmet; Communications Device (with text field to describe).
- Canoe: Wet suit; Drysuit; Paddle (whether it was appropriate for vessel, and whether it was intact); Helmet; Communications Device (with text field to describe).
- Kayak: Wet suit; Drysuit; Paddle (whether it was appropriate for vessel, and whether it was intact); Helmet; Spray skirt; Dewatering Device (note if not applicable); Communications Device (with text field to describe).

5.4 INCIDENT DETAILS

- 5.4.1 The Number of People Onboard and Number of People Towed should continue to be collected, but there should also be a field for Total People based on these entries. The purpose would be to help ensure against the double counting of any person(s) who had been onboard the vessel, but were being towed at the time of the incident. The future reporting system should accommodate an automatic calculation of the Total; however, it should also feature an override to allow manual entry of Total People in case the breakdown of number of people onboard and number being towed is unknown, but the Total People is known.

- 5.4.2 The Accident Types/Events list approved in 2012 by NASBLA membership as part of the NASBLA/ERAC and USCG Terms and Definitions Project---and as modified during the current project workgroup discussions in March 2018, and again in March 2019 and January 2020---should be adopted for national data collection. As part of this, the report category title should be changed to "Incident Events." (See the 2012 Accident Types/Events approved list with markups and notes reflecting the current project's recommendations.)
- 5.4.3 The Operation of the Vessel list approved in 2013 by NASBLA membership as part of the NASBLA/ERAC and USCG Terms and Definitions Project--and as modified during the current project workgroup discussions in March 2018---should be adopted for national data collection. (See the 2013 Operation of the Vessel at the Time of the Accident approved list with markups and notes reflecting the current project's recommendations).
- 5.4.4 The Activity--Use of the Vessel/Immediate Activity at Time of Accident list approved in 2013 by NASBLA membership as part of the NASBLA/ERAC and USCG Terms and Definitions Project---and as modified during current project workgroup discussions in March 2018 and again in January 2020---should be adopted for national data collection. (See the 2013 Activity: Use of the Vessel and Activity at the Time of the Accident approved list with markups and notes reflecting the current project's recommendations.)
- 5.4.5 The Contributing Factors/Causes list approved in 2012 by NASBLA membership as part of the NASBLA/ERAC and USCG Terms and Definitions Project---and as modified during the current project workgroup discussions in March-April 2018 and again in January 2020--- should be adopted for national data collection. (See the 2012 Contributing Factors/Causes approved list with markups and notes reflecting the current project's recommendations.)
- 5.4.6 Regarding vessel design or hull characteristics that might have contributed to an incident, a question should be added for mandatory data collection. *"Is there a possibility that any features or design characteristics of the vessel may have contributed to this accident? ___"* A check-off in this field would indicate "yes," and require follow-up description in the narrative. Appropriate examples and guidance should be developed and included in a "best practices" document for the officer/investigator to consider in responding.
- 5.4.7 Retain the current Incident Description or Narrative for submission to the Coast Guard, but change the label to Synopsis or Executive Summary to distinguish it from a detailed narrative

5.5 DAMAGES TO VESSELS AND OTHER PROPERTY

- 5.5.1 There should be a mandatory data collection on each vessel and total non-vessel property damages, with States having the option of submitting actual/estimated dollar amounts and/or using the following four ranges (referred to here as "buckets") for this purpose: <\$2,000, \$2,000-<\$5,000, \$5,000-<\$10,000, and ≥\$10,000. There should be a description/definition of what "non-vessel property" means in the "Best Practices" document to be developed.
- 5.5.2 For the mandatory collection of vessel damage, an actual/estimated dollar amount should be submitted or a bucket should be selected for each vessel (<\$2,000, \$2,000-<\$5,000, \$5,000-<\$10,000, and ≥\$10,000).
- 5.5.3 For the mandatory collection of non-vessel property damage associated with the incident (e.g., boating infrastructure that's been damaged, etc.), an actual/estimated dollar amount should be submitted or a single bucket should be selected (<\$2,000, \$2,000-<\$5,000, \$5,000-<\$10,000, and ≥\$10,000).
- 5.5.4 If the four buckets are used to capture vessel or non-vessel property damage estimates, for purposes of reporting out on these damages, the Coast Guard and States should assign a single dollar value to each bucket.

5.5.5 If the four buckets are used to capture vessel or non-vessel property damage estimates, the future reporting system should prompt a user to indicate whether an incident actually met the federal damage threshold of \$2,000 if there are two or more buckets of <\$2,000 selected in the report.

5.6 PEOPLE ASSOCIATED WITH THE VESSEL(S) INVOLVED IN THE INCIDENT

5.6.1 The Vessel OWNER's Name and Address (basic contact information) should continue to be collected nationally. But as part of this, there should be a field for an officer/investigator to explain if information about/identity of the owner is unknown or cannot be obtained.

5.6.2 The following identity and contact information on the Vessel OPERATOR(s) involved in the incident should be collected nationally: Name, Address, Phone Number; Date of Birth; and Sex (M/F/Unknown). The operator's Age could be automatically calculated based on the Date of Birth and Date of the Incident, but there should be a voluntary field to document an "Approximate Age" in the event a Date of Birth is not available. There should also be a field for an officer/investigator to explain if any of the information about/identity of the operator(s) is unknown or cannot be obtained.

5.6.3 The following identity and contact information on Victims of the incident -- the Injured and Deceased/Disappeared -- should be collected nationally: Name, Address, Date of Birth; and Sex (M/F/Unknown). The victim's Age could be automatically calculated based on the Date of Birth and Date of the Incident, but there should be a voluntary field to document an "Approximate Age" in the event a Date of Birth is not available.

5.6.4 Identity/contact information on Property Owners or on Witnesses or Passengers---unless they were victims in the incident---should not be required for national collection.

5.6.5 Vessel OPERATOR(s) and Victim(s) identifiers beyond those indicated in the previous statements should be left for the States to consider and use or not use (such identifiers might include email, other contact info, race, language, etc.).

5.6.6 Currently, the element OPERATOR(s)' Boating Safety Education focuses on the source of instruction completed. In the future, the element should focus on whether the operator was required to have instruction in the State of operation. If "yes," did the operator meet that requirement? and if "no," did the operator take a course anyway?

5.6.7 Currently, OPERATOR Experience focuses on the operator's hours of experience (via range of hours) with the type of vessel involved in the incident. In the future, this element should capture: 1) whether the operator ever operated that type of vessel before (yes/no), with voluntary completion of a follow-up, fill-in estimate of hours of experience; and 2) a voluntary question as to whether the operator had experience boating at that location before (yes/no), with a voluntary follow-up, fill-in estimate of the number of times at that location.

5.6.8 Data on the following safety measures should be collected nationally for the Vessel OPERATOR(s): whether an engine cutoff device was used or leash was worn at the time of the incident, and whether the proper item was used, properly attached, and in proper condition.

5.6.9 For the Vessel Operator and ALL victims -- injured and deceased -- there should be national collection of Alcohol use (yes/no, with BAC optional); BUI arrest information (as applicable); Drug use (legal and illegal, yes/no, with drop-down menu for selecting options from among the following drug categories, which are also used in motor vehicle crash reports: cannabis (marijuana), depressants, stimulants, hallucinogens, inhalants, narcotic analgesics, other drug(s))

5.6.10 For ALL victims -- injured and deceased -- there should be a mandatory national collection of data on Life Jacket use. If the life jacket was a factor in the incident then the following

detail should be mandatory: Type of life jacket; whether inherently buoyant or inflatable; whether serviceable; whether properly used; and whether of proper size.

5.6.11 The Coast Guard should consult the medical community to develop standardized fields for Cause of Death. This should include seeking the appropriate terminology for describing deaths due to “natural causes” and determining whether and how “hypothermia” should be used.

5.6.12 In reference to Drownings, consideration should be given to using the following standard terminology to report outcomes: 1) instead of the current "Death-by drowning," use "Drowning, fatal"; and 2) in the case of an injury, use "Drowning, non-fatal."

*Source and definitions regarding drownings used in developing this recommendation:
<http://www.surfersmedicalassociation.org/drowning-sea-misinformation-drydrowning-secondary-drowning-andrew-schmidt-d-o-mph/> The medical definition of drowning is “the process of experiencing respiratory impairment from submersion/immersion in liquid.” (Definition of Drowning: A Progress Report. Bierens J, Drowning 2e. Berline: Springer, 2014.) Drowning has only three outcomes: fatal drowning, nonfatal drowning with injury or illness, or nonfatal drowning without injury or illness.”

5.6.13 Regarding Cause of Death, there should be a field that would allow the officer/investigator to write a fatality synopsis.

5.6.14 There should continue to be mandatory collection of the primary injury for persons injured in the incident (those who meet the threshold). The capture of any secondary injuries should be optional.

5.6.15 For injured persons (those who meet the threshold), the references to body parts/areas of injury should be standardized. If the current categories in the national statistics are used, the term "whole body" should replace "body" to distinguish from "trunk."

5.6.16 For injured persons (those who meet the threshold), the references to the nature of injury should be standardized. If the current categories in the national statistics are used as a basis, the following terms should be removed, retained pending further information, or introduced: remove "scrape/bruise" (in accordance with revised injury definition); retain "hypothermia" pending consultation with the medical community on usage; introduce "drowning, non-fatal" (see recommendation 5.6.12).

6. REPORT DATA INPUT FORMATS (preliminary – will be addressed in more detail in Phase 2 of project)

The second phase of this project will focus on recommendations for a revised reporting system. However, throughout its discussions in this first phase, the project workgroup identified areas where the current system is deficient and also noted aspects of the proposed, revised incident report structure that will need to be accommodated. In its discussions on feedback received from the States during the comment periods, the workgroup emphasized the need for training not only personnel doing the field investigations, but also persons administering the reporting system. The following recommendations are associated with general data entry and methods for documenting injury and damage information outside of the federal regulatory thresholds for reporting.

6.1 The future reporting system should accommodate both on-site entry of report data through mobile platforms and manual entry of report data into fillable, printable PDF forms that would allow content to be transferred into the system.

6.2 In the future, revisions to the reporting system should accommodate the least burdensome method for documenting basic injury or damage information that does not meet the injury or damage threshold but is associated with an otherwise reportable incident. (For example, a field that would allow recording of the number of persons who had injuries below the federal threshold; an officer/investigator would not be expected to fill out an injury record for a person whose injury did not meet the injury threshold. “Best practices” documentation and training should provide guidance on an injury that does not meet the injury or damage threshold, but is associated with an otherwise reportable incident).

7. ROLES AND RELATIONSHIPS

For additional information and a summary of the feedback received and concerns expressed by the States during the comment periods, see the [Resource Document \(v. June 2020\)](#).

- 7.1 If a State becomes aware that the Coast Guard has assumed the lead investigation of an incident, the State should notify CG-BSX, and CG-BSX in turn should acknowledge the State's notification that the Coast Guard has assumed the lead. If CG-BSX becomes aware that a Coast Guard asset has assumed the lead investigation, then CG-BSX should notify the State. (Coast Guard response in the form of a Search and Rescue does not constitute a Coast Guard investigation.)**
- 7.2 If the Coast Guard assumed the lead in investigating an incident, the State should be relieved of the duty to investigate and not be required to submit data to CG-BSX about the incident. Further, in the event the State has already gathered some information and shared that information with Coast Guard investigators per the terms of its MOU, the State should not be required to investigate further or submit data to CG-BSX about the incident. CG-BSX would be responsible for gathering and entering information about the case.**
- 7.3 Incidents that occur on sole tribal waters should be excluded from reporting requirements as neither the States nor Federal Government have jurisdiction over them.**
- 7.4 The Coast Guard should be responsible for collecting and entering information on incidents that occur under the sole jurisdiction of another federal entity, or when such federal agency assumes the investigative lead on any such incident.**
- 7.5 The State Reporting Authorities should determine how best to maintain and nurture relationships with local entities involved in the accident reporting system.**
- 7.6 In the future, if a State official determines that an incident described in a news media report does NOT meet the requirements for a report to the Coast Guard, the Coast Guard should accept the State's determination.**

8. VESSEL SAFETY ISSUES, DEFECTS, RECALLS, AND BRIDGE ALLISIONS

The Coast Guard regulates certain aspects of recreational vessel manufacturing and is responsible for developing and enforcing federal safety standards set out in 33 CFR 181 and 183. The Coast Guard has the ability to investigate suspected defects. Based on the nature of the defect, the Coast Guard will send staff to investigate the issue, direct manufacturers to provide defect notifications to consumers, and/or announce an alert on a defective product.

Through its Office of Bridge Programs, the Coast Guard permits, regulates, and monitors approximately 20,000 bridges that cross navigable waters of the U.S. (through implementing regulations in 33 CFR Parts 114-118) and requests notifications from States in the event a recreational vessel allides with a bridge.

The recommendations in this series relate to notifications, reporting, and other communications between the Coast Guard and the States regarding various safety issues, defects, recalls, and bridge allisions. They are intended not only to reinforce existing regulatory requirements, but also facilitate notifications and reporting.

- 8.1 The State Reporting Authority should notify the Coast Guard when it reasonably believes a potential safety issue is present on a vessel manufactured for recreational use and the State has been made or became aware of it. Notification should take place as soon as reasonably possible.**
- 8.2 The future reporting system should link to the Recalls Database. That way, a HIN or manufacturer/model/year that matches between the incident and recalls would flag the incident for the State.**
- 8.3 If the State becomes aware of a vessel allision with a bridge over waters of concurrent jurisdiction, the State should notify the Coast Guard.**

8.4 The future reporting system should have a means to easily notify a Coast Guard Sector of a bridge collision. The Sector would be coded based on the geographical data in the record.

8.5 The Coast Guard should introduce a streamlined reporting process (via the CG-BSX website or in the future reporting system) whereby the State Reporting Authority could report a suspected safety defect.

8.6 A State Reporting Authority should be able to report a suspected safety issue apart from the officer/investigator.

2017-2020 WORKGROUP MEMBERS – PHASE ONE

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Recreational Boating Incident Report Decision Matrix

Which incidents require a report to the U.S. Coast Guard?

Part I – Did the incident meet these conditions?

* Occurred on state or concurrent jurisdictional waters

* Involved **at least one** of the following federal regulatory thresholds for reporting:

- Fatality
- Person missing
- Injury treated at medical facility
- Damage ≥ \$2,000
- Total loss of vessel

* Involved **at least one** of the following:
-Vessel used for recreational purpose
-State-numbered uninspected vessel

If these are met, go on to Part II. IF NOT, then incident may meet state requirements, but no report to the Coast Guard is required.

Part II – Did the incident involve any of these?

NOTE: For incidents involving multiple vessels with different operational statuses, if at least one of the vessels involved met conditions in this Part II, a report to the Coast Guard is required



Did incident involve a **properly** docked or moored vessel?

NO

YES

Was the incident a result of any of these?

- carbon monoxide exposure
- stray electrical current attributed to the vessel
- fire / explosion that occurred while fueling or starting the vessel or that was attributed to the vessel's equipment or electrical components

NO

May meet state reporting requirements, but no further action needed for reporting to the Coast Guard

YES

Did incident involve an event listed under Non-Reportable Events (next page)?

YES

NO

Report to Coast Guard required

Did incident involve an anchored vessel?

NO

YES

Did incident involve an event listed under Non-Reportable Events (next page)?

YES

May meet state reporting requirements, but no further action needed for reporting to the Coast Guard

NO

Report to Coast Guard required

For incidents involving all other vessel operational statuses, including **improperly** docked or moored vessels

Was the incident a result of any of these?

- operation
- vessel's construction
- vessel's seaworthiness
- vessel's machinery
- vessel's equipment
- loading of the vessel
- environmental forces

NO

May meet state reporting requirements, but no further action needed for reporting to the Coast Guard

YES

Did incident involve an event listed under Non-Reportable Events (next page)?

YES

NO

Report to Coast Guard required

Recreational Boating Incident Report Decision Matrix

Which incidents require a report to the U.S. Coast Guard?

NON-REPORTABLE EVENTS (see PARTS I and II before applying)

- **Voluntary departure injuries/fatalities.** The only event involved the injury or death of a person who voluntarily entered the water from a vessel, the shore or a place of inherent safety.
- **Towed watersports injury exceptions.** A person suffers an injury or death while participating in towed watersports (including wake surfing) that wasn't due to the operation or equipment of a vessel.
- **Vessel use exceptions.** The only vessel(s) involved were used solely for governmental, criminal (activities in the course of a criminal offense, with the exception of impairment and boating safety-related offenses), disaster response, or sanctioned activity (when practicing for and/or competing in an approved or permitted organized or sanctioned race, event or training program, and where adequate safety precautions are in place).
- **Self-inflicted injuries/fatalities.** Self-inflicted injuries were the cause (examples include: self-inflicted wounds, ingestion of controlled substances or poison, gunshot wounds).
- **Assaults.** A person suffers an injury, dies, or is missing as a result of an assault by another person or persons while aboard a vessel.
- **Medical event.** An incident caused by a person who experienced a medical emergency when the vessel did not contribute and no other underway vessel was involved. A medical event does not refer to physical impairments such as poor eyesight, poor hearing, or mobility difficulties.
- **Watercraft not a "vessel."** The only watercraft involved were not considered "vessels" (examples include: a pool float toy, innertube, float tube propelled by feet or fins, surfboard, submersible, diving propulsion aid, stock tank, air mattress, fish tote, floating dock, unmodified log, snowmobile, and/or seaplane).
- **Foreign flag vessels.** The only vessel(s) involved were foreign flag vessels.
- **Natural phenomenon.** A natural phenomenon was involved (such as interaction with marine life (e.g., carp causes injury to person) and interaction with nature (e.g., mountain side falls onto vessel causing damage)) when no other event occurred and when no other federal regulatory reporting threshold was met.
- **Launching/recovery injuries/fatalities/damages.** Launching or recovery when the vessel is not on the water and capable of use (free from the apparatus from which it is being launched).
- **Boarding/departing injuries/fatalities.** A person suffers an injury while boarding or departing a docked, moored, or anchored vessel, when no other event occurred and when no other federal regulatory reporting threshold was met.
- **Lack of / improper maintenance.** The unoccupied, properly-docked or -moored vessel(s) encountered damages or loss as a result of a lack of or improper vessel maintenance.

RECOMMENDED INCIDENT REPORT DATA ELEMENTS - FIELDS - DEFINITIONS FOR NATIONAL COLLECTION -- SUMMARY CHART

| ELEMENTS | FIELDS/OPTIONS |
|---|---|
| ENVIRONMENTAL/EXTERNAL CONDITIONS | |
| WEATHER | |
| Overall Weather Conditions | clear, cloudy, foggy/hazy, raining, snowing, other (with guidance for the selections) |
| Visibility | good, fair, poor (with parameters/other guidance to better define the options) |
| Wind | no wind (0 mph), light (1-6 mph), moderate (7-14 mph), strong (15-25 mph), stormy (>25 mph), and an additional option of "unknown." |
| Air temperature | mandatory selection from range of air temperatures in °F: under 30, 30-39, 40-49, 50-59, 60-69, 70-79, 80-89, 90-99, 100 and above, and "unknown"; voluntary reporting of actual/estimated temperature in °F |
| Day/Night (as light conditions) | day, night (with improved definition; for e.g., sunrise/to sunset-inclusive of dawn and dusk-as "day" and adding a checkbox for "twilight") |
| WATER | |
| Overall Water Conditions | calm (waves 0 to 6"), choppy (waves >6" to 2'), rough (waves >2' to 6'), very rough (waves >6'), strong current, "other" and "unknown" (with option for multiple selections) |
| Water temperature | mandatory selection from range of water temperatures in °F: under 28, 28-39, 40-49, 50-59, 60-69, 70-79, 80-89, 90 and above, and "unknown"; voluntary reporting of actual/estimated temperature in °F |
| WHERE and WHEN INCIDENT OCCURRED | |
| Coordinates | mandatory collection if future reporting system can facilitate documentation based on existing geographical information when coordinates not otherwise available; determine standard format for entering coordinates data |
| Location on water | enter description as available (no standard format) |
| County, State, Body of water, Type of body of water | enter names/descriptions; preference for "hard coding" of type of body of water when information is entered into system. |
| Nearest City/Town | enter name (voluntary collection) |
| Date, Time | record in 24-hour time format; allow "unknown" |
| Notification date (state's recording of date when State Reporting Authority was notified of incident) | format of field to be determined |
| VESSEL CHARACTERISTICS | |
| Number of vessels involved in incident | enter number |
| VESSEL IDENTIFICATION | |
| Name of each vessel | enter name |
| Make, model, model year | enter information |

| ELEMENTS | FIELDS/OPTIONS |
|---|--|
| HIN, registration number, document number (if available) | enter / record as available |
| Vessel ownership status | owned, rented, borrowed, "other" (describe) |
| ENGINE | |
| Number of engines | enter number |
| Engine manufacturer | enter manufacturer name (mandatory, if engine a factor); document if "unknown" |
| Serial number | enter number (mandatory, if engine a factor); document if "unknown" |
| Engine drive type | All authorized drive types per CFR: inboard, outboard, pod drive, sterndrive, other, "unknown"; additional fields: Airboat engine in drop-down for Inboard. Shallow / Surface Drive in drop-down for Outboard. |
| Horsepower, CCs, pounds of thrust | enter total (not per engine) |
| Overpowering | check box if factor in incident; text field to document rated horsepower |
| Fuel type | All authorized fuel types per CFR: gas, diesel, electric, other: additional fields : "unknown," and no fuel |
| HULL MATERIAL | |
| Hull material type | All authorized hull material types per CFR: fiberglass, aluminum, plastic, rubber/vinyl/canvas, steel, wood, other, plus an "unknown." Identify primary material for each vessel; for poly-construction, allow recording of secondary, tertiary material types |
| Inflatable construction | check box to record inflatable construction (see Vessel Type below) |
| VESSEL TYPE and SUBTYPES | |
| Vessel type | All authorized vessel types per CFR: Cabin motorboat, Open motorboat, Auxiliary sail, Pontoon boat, Inflatable, Houseboat, Sail (only), Rowboat, Airboat, PWC, Other [Note: further recommendations to seek regulatory removal of Inflatable as a "type" and instead use checkoff to indicate "inflatable" regarding hull construction/material] |
| Vessel subtypes | See Vessel Sub-Types for Use with Authorized Vessel Types |
| SIZE ESTIMATES | |
| Overall length | enter in feet |
| SAFETY EQUIPMENT/GEAR for PADDLECRAFT (available? Used?) | |
| Standup paddleboard | wet suit, drysuit, paddle (whether appropriate for vessel, whether in tact), leash, helmet, communications device (describe), "unknown" |
| Canoe | wet suit, drysuit, paddle (whether appropriate for vessel, whether in tact), helmet, communications device (describe), "unknown" |
| Kayak | wet suit, drysuit, paddle (whether appropriate for vessel, whether in tact), helmet, spray skirt, dewatering device (if applicable), communications device (describe), "unknown" |
| INCIDENT DETAILS | |
| Number of people onboard | enter number |

| ELEMENTS | FIELDS/OPTIONS |
|--|--|
| Number of people towed | enter number |
| Total people | automatic calculation in future reporting system, with override allowing manual entry of number |
| INCIDENT EVENTS | See Accident Types/Events |
| OPERATION OF THE VESSEL | See Operation of the Vessel |
| ACTIVITY--USE OF THE VESSEL/IMMEDIATE ACTIVITY AT TIME OF INCIDENT | See Activity |
| INCIDENT CAUSES / CONTRIBUTING FACTORS | See Contributing Factors/Causes |
| Possibility of vessel / hull design characteristics as contributors? | check off response and follow-up narrative description for "Is there a possibility that any features or design characteristics of the vessel may have contributed to this accident? ___" |
| Incident Synopsis / Executive Summary | renamed to more clearly distinguish the incident description for submission to the Coast Guard from more detailed report narrative |
| DAMAGES TO VESSELS and OTHER PROPERTY | |
| Damage estimates (vessel) | Four "buckets" (ranges) to capture damage estimates, with a bucket captured for each vessel; <\$2,000, \$2,000-<\$5,000, \$5,000-<\$10,000, and ≥\$10,000; mandatory collection, but option for States to use either the buckets or actual/estimated dollar amounts |
| Damage estimates (non-vessel property) | Four "buckets" (ranges) to capture damage estimates, with a single bucket to capture non-vessel property damage associated with incident; <\$2,000, \$2,000-<\$5,000, \$5,000-<\$10,000, and ≥\$10,000; mandatory collection, but option for States to use either the buckets or actual/estimated dollar amounts |
| Description of damage | describe |
| PEOPLE ASSOCIATED WITH THE VESSEL(S) INVOLVED IN THE INCIDENT - OWNER, OPERATOR, PASSENGERS | |
| VESSEL OWNER (identity) | |
| Owner's name | enter information (add field to indicate if owner identity / contact information is unknown/cannot be obtained) |
| Owner address | enter information |
| VESSEL OPERATOR (identity) | |
| Operator's name (each operator involved) | enter information (add field to indicate if operator identity / contact information is unknown/cannot be obtained) |
| Operator's address, phone number | enter information |
| Operator's DOB | enter information; age may be automatically calculated based on DOB and date of incident, but add voluntary field for "approximate age" in case DOB not available |
| Operator's sex | male, female, unknown |
| VICTIMS (identity) | |
| Number of injured persons | enter number |
| Injured person(s) - name, address | enter information (add field to indicate if operator identity / contact information is unknown/cannot be obtained) |

| ELEMENTS | FIELDS/OPTIONS |
|---|---|
| Injured person(s) - DOB | enter information; age may be automatically calculated based on DOB and date of incident, but add voluntary field for "approximate age" in case DOB not available |
| Injured person(s) - sex | male, female, unknown |
| Number of deceased persons (or persons who disappeared) | enter number |
| Deceased person(s) - name, address | enter information (add field to indicate if operator identity / contact information is unknown/cannot be obtained) |
| Deceased person(s) - DOB | enter information; age may be automatically calculated based on DOB and date of incident, but add voluntary field for "approximate age" in case DOB not available |
| Deceased person(s) - sex | male, female, unknown |
| VESSEL OPERATOR (instruction, experience, safety measures) | |
| Boating safety education/instruction - required/met? | yes/no as to whether operator was required to have instruction in state of operation and met requirement |
| Boating safety education/instruction - any taken? | in event of no requirement, yes/no as to whether operator had instruction anyway |
| Operating experience | |
| Experience with type of vessel involved in incident | yes/no as to whether operator ever operated the type of vessel before (mandatory); follow-up fill-in estimate of hours (voluntary) |
| Experience at location | yes/no as to whether operator had experience at location (voluntary); follow-up fill-in estimate of number of times at location (voluntary) |
| Engine cut-off device used/ leash worn at time of incident | checkoff of engine cutoff device used or leash worn; proper use, attachment, proper condition |
| Alcohol use | yes, no, BAC optional |
| Drug use (legal and illegal) | yes, no / drop-down menu selection from categories: cannabis (marijuana), depressants, stimulants, hallucinogens, inhalants, narcotic analgesics, other drug(s) |
| BUI arrest (as applicable) | yes, no |
| VICTIMS - injuries, deaths - causes, nature - safety measures) | |
| Cause of each death; Fatality synopsis | Look to medical community to develop standardized terms that can be used as data fields; create field to accommodate a fatality synopsis |
| Cause, nature, extent/severity of each injury (primary injury) | Develop standard references to nature of injury, body parts, and areas of injury for fields |
| Life Jacket use | yes/no; if factor in the incident, mandatory collection of type of life jacket; whether inherently buoyant or inflatable, whether serviceable, properly used; whether proper size |
| Alcohol use | yes, no, BAC optional |
| Drug use (legal and illegal) | yes, no / drop-down menu selection from categories: cannabis (marijuana), depressants, stimulants, hallucinogens, inhalants, narcotic analgesics, other drug(s) |
| BUI arrest (as applicable) | yes, no |

**Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard**

In March 2018, the USCG/States/NASBLA ERAC Incident Reporting Policy Project Workgroup reviewed and proposed some modifications to entries in this Accident Types/Events list as it developed recommendations regarding Data Elements/Fields/Definitions for national collection. In March 2019, considering feedback received during the first comment period conducted Feb-March 2019, the workgroup further modified the Fire/ Explosion entries (pp. 2-3). In January 2020, a technical edit was made to “Person Departs Vessel Voluntarily” (p. 2). The workgroup recommends adoption of the full list with modifications as presented.

~~ACCIDENT TYPES/EVENTS~~ * (alphabetical[†]) – as approved Sept. 11, 2012

Recommended (overall):

- **Revise report category label from Accident Types/Events to “INCIDENT EVENTS”**
- **Collect/capture Events in the system for both the overall incident and per vessel perspectives**

This list presents the accident types/events work product voted on and approved by the NASBLA membership at its annual Business Meeting conducted Tues., Sept. 11, 2012, Mobile, Alabama. Bracketed information at the end of each definition indicates whether the entry is a new one or will revise an existing term or definition currently used at the national level in BARD. All entries were vetted through the project review process, up to and including the project team’s refinement of two definitions (and recommended deletion of one previously proposed term) as a result of feedback received from NASBLA members during the latest open comment period (conducted July 18-Aug. 7, 2012). See **History**, below, and **Overview of Process** on page 3 of this document.

Capsizing: *Overturning of a vessel.* [Revises existing definition]

Carbon Monoxide Exposure: *Death or injury resulting from an odorless, colorless gas generated from auxiliary vessel equipment (including, but not limited to stoves, heaters, refrigerators, generators, hot water heaters), another vessel's exhaust, or the exhaust of the vessel on which persons were either aboard or in close proximity.* [Revises existing definition]

* **History:** All entries were vetted through a review process involving the project team (subgroup of NASBLA Engineering, Reporting & Analysis Committee (ERAC) and since May 2011, additional U.S. Coast Guard subject matter experts); the full ERAC; the NASBLA Executive Board; Coast Guard initial, Office-level review; and broader NASBLA community via comment solicitations in March and July/August 2012. List reflects **all changes**, including project team resolution of feedback received during the March 9-30 and July 18-Aug. 7 open comment periods. Changes resulting from feedback are: 1) a return to label “Carbon Monoxide Exposure” (in lieu of prior recommendation for “Carbon Monoxide Poisoning”); 2) addition of parenthetical information in definition for “Collision with Vessel” to direct users to appropriate entry for the described scenario; 3) revision of label “Person Struck by Propeller/Propulsion Unit” to include “/Water Jet, and definition to specifically include events involving persons injured when struck by high pressure water jet; 4) modification of original proposal for “Swamping” to now delete reference to vessel remaining upright; 5) exclusion of “Medical Condition” entry, which had been proposed to revise term label for “Sudden medical condition” (as appears on current version of USCG BAR form as an accident type) and create associated definition; 6) modification of original proposal for “Natural Phenomena” to now include “lightning” among phenomena covered under definition; and 7) modification of original proposal for “Electrical Shock” to now exclude “lightning” and direct users to “Natural Phenomena” for such events.

[†] Term labels that begin with “Person,” are alphabetized according to the verb in the label.

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Collision with Fixed Object / Allision: *The striking of any fixed object, above or below the surface of the water, except the bottom of the body of water. A **Collision with Fixed Object/Allision** includes a vessel striking a vessel moored to a dock, pier, or similar structure; and a vessel striking timber or stumps.* [Revises existing term label (“Collision with Fixed Object”) and definition]

Collision with Floating Object: *The striking of a floating object other than a vessel, above or below the surface of the water, that is not fixed or held in place by any means (e.g., barrels, logs, or other debris).* [Revises existing definition]

Collision with Vessel: *A striking together of two or more vessels. A **Collision with Vessel** includes colliding with the tow of another vessel, with the exception of a towed watersport participant. A **Collision with Vessel** also includes colliding with an anchored vessel or colliding with a vessel secured to a mooring buoy. A **Collision with Vessel** does not include a vessel striking a vessel moored to a dock, pier, or similar structure (see **Collision with Fixed Object / Allision**).* [Revises existing definition]

Person Departs Vessel Voluntarily: *A person, acting of their own free will, ~~leaves the~~ **enters the water from a** vessel, resulting in the person's injury or death.* [Revises existing term label (“Person left boat voluntarily”) and creates definition] **Proposed revision to align with language used in description of “Non-Reportable Event: Voluntary departure injuries/fatalities” (recommendation 2.3.1)**

Person Ejected from Vessel: *A person is thrown out of a vessel involuntarily by a non-human force such as a wake, wave, collision, or unexpected change in direction of the vessel.* [Revises related, existing term labels (“Ejected from Vessel” and “Person ejected from boat”) and creates definition]

Electrical Shock: *Death, injury, or property damage resulting from contact with electrical current. This includes system failure and stray current. It does not include lightning (see **Natural Phenomena**).* [Replaces current term (“Electrocution”) and revises existing definition]

Person Falls Overboard: *A person involuntarily falls off of the vessel.* [Revises existing term labels (“Falls Overboard” and “Person fell overboard”) and definition]

Recommended by project workgroup in March 2018: Revise the following series from four to three terms—one Fire/Explosion (fuel-related) instead of two. Develop a method for optional documentation of the source (propulsion-related? etc.) of fuel-related fires/explosions. Modified recommendation March 2019 to propose more specific revised format based on feedback received during first (external review) comment period (2/19/19 - 3/08/19):

Fuel-Related Fire/Explosion (new, combined term, with options)

~~Fire/Explosion (fuel and Engine (propulsion)/generator-related):~~ *Accidental burning or explosion of vessel due to combustion of vessel fuels or their vapors that are used for electrical generation or propulsion.* [Further delineates existing terms (“Fire/Explosion (Fuel)” and “Fire/Explosion (Other than Fuel)”)]

~~Fire/Explosion (fuel-related but Not engine (propulsion)/generator-related):~~ *Accidental burning or explosion of vessel due to combustion of fuels or their vapors that are not used for electrical generation or propulsion.* [Further delineates existing terms (“Fire/Explosion (Fuel)” and “Fire/Explosion (Other than Fuel)”)]

[proposed revision continues next page](#)

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Upon selection of the above, additional prompting for source of suspected leak (if known): 1) a propulsion or generator engine; 2) the installed fuel system for such engines; or 3) fuel introduced to the vessel during a refueling event.

Fire/Explosion (non-fuel): *Accidental burning or explosion of any material onboard a vessel except vessel fuels or their vapors.* [Revises term label (“Fire/Explosion (Other)”) **no changes proposed to term or definition, but addition of examples such as: electrical, cooking, cooking fuel, pyrotechnic, smoking material, shore-tie, with additional fillable field**

Fire/Explosion (unknown origin): *Accidental burning or explosion of any material onboard a vessel where the cause of the fire/explosion is unknown.* [Formalizes use of term label and creates definition] **no changes proposed to term or definition**

Flooding: *Filling with water, by means of entry through a fitting, a drain plug, a hole or crack in the hull, or other means that allows ingress of water through the hull, not over the top of the gunwale, transom, or decking of the vessel. Vessel retains sufficient buoyancy to remain on the surface of the water.* [Separates existing term (“Flooding/Swamping”) and creates new definition]

Grounding: *Running aground of a vessel; striking or pounding on rocks, reefs, shoals, or the bottom of the body of water; includes stranded vessels.* [Revises existing definition]

Person Impacts Vessel: *A person slips, trips, falls, or strikes a surface on or in their vessel.* [Revises existing related term label (“Falls in boat”) and definition]

Natural Phenomena: *Death, injury or property damage resulting from an interaction with natural phenomenon including, but not limited to: lightning, being struck by a jumping fish, being stung or bitten by a fish, or being struck by falling debris from a cliff.* [Creates term label and definition]

Sinking: *After swamping, flooding, or capsizing, the vessel loses enough buoyancy to settle below the surface of the water.* [Revises existing definition]

Person Struck by Propeller/Propulsion Unit/Water Jet: *A person who is located on, inside or outside of a vessel is struck by the propeller or propulsion unit of a vessel or high velocity water leaving the propulsion unit.* [Revises existing term label (“Struck by Propeller/Propulsion Unit”) and definition]

Person Struck by Vessel: *A person who is located inside or outside of a vessel is struck by a vessel.* [Revises existing term labels (“Struck by Vessel” and “Person struck by boat”) and definition]

Swamping: *Ingress of water over the top of the gunwale, transom, or decking of the vessel. Vessel retains sufficient buoyancy to remain on the surface of the water.* [Separates existing term (“Flooding/Swamping”) and creates new definition]

Towed Watersport Mishap: *A watersport accident associated with vessel passenger(s) or person(s) being towed or surfing the wake created by the vessel. A **Towed Watersport Mishap** includes, but is not limited to, the following scenarios: persons falling or ejected during their activity; being struck by or entangled in the activity equipment; or running into a person, object or vessel.* [Replaces existing term (“Skier Mishap”) and revises definition]

Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA's Engineering, Reporting & Analysis Committee and the U.S. Coast Guard

Other / describe: *Accidents that do not fit any of the described types. Provide brief description.* [Creates definition]

Unknown: *Insufficient information to determine the type of accident.* [Creates definition]

Overview of Process: The review process for this Accident Reporting Terms and Definitions Project was accepted by the NASBLA Executive Board and the USCG Office of Auxiliary and Boating Safety in mid-June 2011. For each category of report terms:

- Achieve project team consensus on terms/definitions through series of teleconferences and interim work;
- Share team consensus list with and get feedback from full ERAC committee and NASBLA Executive Board and the U.S. Coast Guard (for initial, Office-level review);
- Share the resulting, refined list with and get feedback from the States/Territories using a structured, open comment period;
- Review responses to assess need for additional team refinements to the entries;
- Submit final consensus list to the NASBLA Executive Board for delivery to and vote by the NASBLA membership;
- Transmit to the U.S. Coast Guard for final review and clearance through its appropriate internal channels.

In March 2018, the USCG/States/NASBLA ERAC Incident Reporting Policy Project Workgroup reviewed and proposed some modifications to entries in this Activity list as it developed recommendations regarding Data Elements/Fields/Definitions for national collection. In January 2020, in response to feedback from the second (external review) comment period conducted March-August 2019, the workgroup reversed a prior recommendation to delete the term “Towing a Watersports Participant”; the original term and definition have been restored (p. 6). The workgroup recommends adoption of the full list with modifications as presented on the pages that follow. [Note: in line with other edits to these lists, the term “incident” would replace “accident” throughout.]

ACTIVITY*
USE OF THE VESSEL and
IMMEDIATE ACTIVITY AT THE TIME OF THE ACCIDENT
-- as approved – Sept. 3, 2013

This list presents the activity work product voted on and approved by the NASBLA membership in a process authorized under NASBLA’s Bylaw III, Section 8.[†] The framework for this report category—two levels of selections, with one set associated with the vessel and the other associated with the operator and any victims—is presented on page 2. Additional explanation for applying the options is presented on page 3. The list of terms and definitions for all entries begins on page 4. Bracketed information at the end of each definition indicates whether the entry is a new one or revises an existing term or definition currently used at the national level in BARD. In the case of specific entries under “immediate activity at the time of the accident,” an additional notation has been made to indicate their applicability only to an operator (or a victim who was the operator) or only to a victim (or victims) other than the operator.

All entries were vetted through the project review process, up to and including the project team’s modification of the June 2013 proposal on Activity that was released to the States on July 11, 2013; the refinements were in response to suggestions and requests for clarification received from NASBLA members in the final review and comment period conducted July 11-29, 2013. See **History**, below, and **Overview of Process** on page 7 of this document.

* **History:** All entries were vetted through a multi-stage review process involving the project team (subgroup of NASBLA Engineering, Reporting & Analysis Committee (ERAC), including additional U.S. Coast Guard subject matter experts); the full ERAC; the NASBLA Executive Board; and the broader NASBLA community via two open comment solicitations – the first, Feb. 22-March 24, 2013, and the second, July 11-29, 2013 (following the release of a revised version of the list on July 11). Comments also were received from NASBLA membership during a Feb. 28, 2013 session conducted as part of the NASBLA Spring BLA Workshop (recorded and made available online), and a July 15, 2013 national teleconference/webinar (recorded and made available online). List reflects **all changes**, including the project team’s resolution of feedback received during the July review. Changes resulting from the July feedback were: 1) expansion of the examples included in the definition for “Commercial” (in the Use of the Vessel component) and amendments to the definition itself to account for both legal and illegal commercial purposes; 2) amendment of the definition for “Towing a Watersports Participant” to include and capture the activity of a person acting as an observer; and 3) modification of the reference to the strength of the current and removal of the “class of river (Class 3+) in the definition of “Whitewater Sports Participant.”

[†] **Voting process:** Voting was authorized under NASBLA Bylaw III, Section 8 (Conducting Interim Business). A Request for Vote was initiated in an Aug. 2, 2013 email to all Boating Law Administrators by John Johnson, NASBLA CEO, on behalf of the NASBLA Executive Board. The original 30-day voting period had an Aug. 31, 2013 deadline for receipt of ballots by email, fax, or postal mail; the deadline was extended to Sept. 3, 2013 to accommodate a holiday weekend. By the Sept. 3 deadline, 44 NASBLA member States had cast ballots, with 43 in the affirmative for this product (and two other work products moving through the process simultaneously).

ACTIVITY

USE OF THE VESSEL (page 4)

| |
|--|
| Recreational |
| Commercial Profit-Making Activity |
| Marine Event Activity |
| Occupational Official Public Service |
| None; not in use |
| Unknown (Explain) |

IMMEDIATE ACTIVITY AT TIME OF ACCIDENT (operator & victims) (page 3 for additional information on applying this list and pages 4-6 for definitions)

| | |
|---------------------------------|--|
| Docking Vessel | Fishing |
| Assisting in Docking Vessel * | Hunting |
| Leaving Dock | Riding in or on Vessel (no other activity) |
| Assisting in Leaving Dock * | Vessel Racing |
| Launching Vessel | Scuba Diving * |
| Retrieving Vessel | Swimming or Snorkeling * |
| Boarding Vessel | Vessel Being Towed |
| Departing Vessel | Towing Another Vessel or Object |
| Starting Engine | Towing a Watersports Participant |
| Operating Vessel | Towed Watersports Participant * |
| Assisting in Operating Vessel * | Whitewater Sports Operator |
| Fueling Vessel | Whitewater Sports Participant |
| Making Repairs | Other (Describe) |
| | Unknown (Describe) |

* Term applies only to a victim who was not the operator

IMMEDIATE ACTIVITY AT TIME OF ACCIDENT (operator & victims)
Special note on applying the list of options shown on previous page

Since Immediate Activity is *intended* to be collected for the operator and victim(s), there may need to be some adjustments to the hard copy report or screen options available for selection based on “whose” information you are trying to capture. Practically speaking, the following options from the list would apply to:

An Operator or a Victim who was the Operator

- Docking Vessel
- Leaving Dock
- Launching Vessel
- Retrieving Vessel
- Boarding Vessel
- Departing Vessel
- Starting Engine
- ~~Operating Vessel~~
- Fueling Vessel
- Making Repairs
- Fishing
- Hunting
- Riding in or on Vessel
- Vessel Racing
- Vessel Being Towed
- Towing Another Vessel or Object
- Towing a Watersports Participant
- Whitewater Sports ~~Participant~~ **Operator**
- Other (Describe)
- Unknown (Describe)

A Victim who was NOT the Operator

- Assisting in Docking Vessel
- Assisting in Leaving Dock
- Launching Vessel
- Retrieving Vessel
- Boarding Vessel
- Departing Vessel
- Assisting in Operating Vessel
- Fueling Vessel
- Making Repairs
- Fishing
- Hunting
- Riding in or on Vessel
- Scuba Diving
- Swimming or Snorkeling
- Towed Watersports Participant
- Towing a Watersports Participant
- Whitewater Sports Participant
- Other (Describe)
- Unknown (Describe)

ACTIVITY: USE OF THE VESSEL AND IMMEDIATE ACTIVITY AT THE TIME OF THE ACCIDENT

USE OF THE VESSEL

*These options represent an expansion of the current USCG BAR form request for selection of
“Recreational” or “Commercial” use of the vessel*

Recommended (overall):

- **In designing the revised BARD/data collection system, find a way to capture the general purpose of the trip and related demographics (hunters, anglers, etc.)**

Recreational: *Vessel was being used for recreational purpose.* [Creates definition]

Recommended term label and definition revisions: ~~Commercial:~~ **Profit-Making Activity:** **State-numbered vessel** *was being used for legal or illegal commercial purpose. Includes but is not limited to carrying passengers for hire; fishing, crabbing, or shrimping in support of one’s business; towing a vessel for a fee; moving cargo; theft or smuggling.* [Creates definition]

Marine Event Activity: *Vessel was being used for or in an official, noticed, permitted, registered or sanctioned event. Includes but is not limited to a fishing tournament, watersports competition, race, regatta, poker run, parade, or similar event. Specify the type of event: _____* [New term and definition]

Recommended term label revision: ~~Occupational:~~ **Official Public Service:** *Vessel was being used by or for Law Enforcement, Search and Rescue, Fire, Survey, Research or other official business at the time of the accident.* [New term and definition]

None; not in use: *Vessel was not being used at the time of the accident (for example, a marina fire; an unoccupied vessel was struck by another vessel).* [Revises existing term label (“None; not in operation”) and creates definition]

Unknown (Explain): *Insufficient information to determine vessel’s use at the time of the accident. Explain _____.* [Creates definition]

IMMEDIATE ACTIVITY AT TIME OF ACCIDENT

Recommended (overall):

- **Collect activity by operator and victim(s)**
- **Create one master list of activities to simplify the selection**
- **Limit reporting of activity to just one selection**
- **In designing the revised BARD/data collection system, find a way to efficiently document all of this activity information**

*These options revise the current list of Activities and are intended to be selected for the operator and for victim(s) other than the operator. Some options realistically would apply 1) **only** to an operator (or a victim who was the operator) OR 2) **only** to a victim other than the operator; those entries are so marked.*

Docking Vessel: *Guiding the vessel into the dock, pier, or wharf.* [Revises existing term label (“Docking/Undocking”) and creates definition. This entry applies only to an operator or a victim who was the operator.]

Assisting in Docking Vessel: *Assisting in guiding the vessel into the dock, pier, or wharf.* [Revises existing term label (“Docking/Undocking”) and creates definition. This entry applies only to a victim other than the operator.]

Recommendation: **add examples to definition to make clear that it involves actions like handling lines, etc., and that the person’s location (in the vessel, on the dock, etc.) does not factor in.**

Leaving Dock: *Guiding the vessel away from the dock, pier, or wharf.* [Revises existing term label (“Docking/Undocking”) and creates definition. This entry applies only to an operator or a victim who was the operator.]

Assisting in Leaving Dock: *Assisting in guiding the vessel away from the dock, pier, or wharf.* [Revises existing term label (“Docking/Undocking”) and creates definition. This entry applies only to a victim other than the operator.] **Recommendation:** **add examples to definition to make clear that it involves actions like handling lines, etc., and that the person’s location (in the vessel, on the dock, etc.) does not factor in.**

Launching Vessel: *Launching the vessel into the water.* [Revises existing term label (“Launching/Loading”) and creates definition]

Retrieving Vessel: *Removing the vessel from the water.* [New term and definition]

Boarding Vessel: *Getting into or onto the vessel.* [New term and definition]

Departing Vessel: *Acting on their own free will, person gets out of or off of the vessel.* [New term and definition]

Starting Engine (maintains existing term label; creates definition): *Starting the engine.* [Creates definition. This entry applies only to an operator or a victim who was the operator.]

Recommend deletion of “Operating Vessel” because of redundancy; operator would be identified by their operator record; “Riding in or on vessel” can be selected if operator was not engaged in any other immediate activity at time of incident. ~~**Operating Vessel:** *Maneuvering the vessel.* [New term and definition. This entry applies only to an operator or a victim who was the operator.]~~

Assisting in Operating Vessel: *Assisting in maneuvering the vessel.* [New term and definition. This entry applies only to a victim other than the operator.]

Fueling Vessel: *In the process of fueling the vessel.* [Revises existing term label (“Fueling”) and definition]

Making Repairs: *Making repairs to the vessel or associated equipment.* [Revises existing term label (“Repairs”) and creates definition]

Fishing: *Engaging in any fishing activity.* [Creates definition]

Hunting: *Engaging in any hunting activity.* [Creates definition]

Riding in or on Vessel (No other activity): *Onboard the vessel and not involved in or assisting in any other activity at time of accident.* [Replaces existing term label (“Boating/Relaxation”) and creates definition]

**Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard**

Vessel Racing: *In a competition of speed.* [Revises existing term label (“Racing”) and creates definition. This entry applies only to an operator or a victim who was the operator.]

Scuba Diving: *Engaging in scuba diving activity during or just prior to the accident.* [New term and definition. This entry applies only to a victim other than the operator.]

Swimming or Snorkeling: *Engaging in swimming or snorkeling activity during or just prior to the accident.* [Revises existing term label (“Swimming/Snorkeling”) and creates definition. This entry applies only to a victim other than the operator.]

Vessel Being Towed: *Operator of a vessel being towed by another vessel.* [Revises existing operation term label (“Being Towed”) and creates definition. This entry applies only to an operator or a victim who was the operator.]

Towing Another Vessel or Object: *Towing a vessel or object; does not include towing person(s) engaged in towed watersports.* [Revises existing operation term label (“Towing”) and creates definition. This entry applies only to an operator or a victim who was the operator.]

Towing a Watersports Participant: *Towing person(s) engaged in towed watersports or acting as an observer. Specify the type of watersport: _____* [Revises existing operation term label (“Towing”) and creates definition.]

Recommended definition revision: Towed Watersports Participant: *Being towed **by or surfing the wake of a vessel** in a watersport activity. Specify the type of watersport: _____. **[Clarify operator or participant status regarding jetlevs, depending on whether person is controlling both thrust and direction of travel.]*** [Revises existing term label (“Towed Watersports”) and creates definition. This entry applies only to a victim other than the operator.]

Recommended new term and definition mirroring “Whitewater Sports Participant” (below): Whitewater Sports Operator: *Operating a vessel traveling in white water “rapids” where the water conditions were rough and the current strong.*

Whitewater Sports Participant: *Onboard a vessel traveling in white water “rapids” where the water conditions were rough and the current strong.* [Revises existing term label (“Whitewater”) and creates definition]

Other (describe): *Activity does not fit any of the descriptions above. Describe: _____* [Creates definition]

Unknown: *Insufficient information to determine activity. Explain: _____* [Creates definition]

Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard

Overview of Process: The review process for this Accident Reporting Terms and Definitions Project was accepted by the NASBLA Executive Board and the USCG Office of Auxiliary and Boating Safety in mid-June 2011. For each category of report terms:

- Achieve project team consensus on terms/definitions through series of teleconferences and interim work;
- Share team consensus list with and get feedback from full ERAC committee and NASBLA Executive Board and the U.S. Coast Guard (for initial, Office-level review);
- Share the resulting, refined list with and get feedback from the States/Territories using a structured, open comment period;
- Review responses to assess need for additional team refinements to the entries;
- Submit final consensus list to the NASBLA Executive Board for delivery to and vote by the NASBLA membership;
- Transmit to the U.S. Coast Guard for final review and clearance through its appropriate internal channels.

On September 11, 2012, NASBLA membership approved Resolution 2012-3 (In support of the Accident Reporting Terms and Definitions Project, the adoption of standardized terms and definitions by the U.S. Coast Guard, and actions to facilitate their application), and under its provisions, the first two work products in the series – Accident Types/Events and Accident Contributing Factors/Causes.

On September 3, 2013, NASBLA membership approved the final three work products in the series – Operation, Activity, and Vessel Sub-Types (for optional use with authorized Vessel Types).

In March-April 2018, the USCG/States/NASBLA ERAC Incident Reporting Policy Project Workgroup reviewed and proposed some modifications to entries in this Contributing Factors/Causes list as it developed recommendations regarding Data Elements/Fields/Definitions for national collection. In January 2020, in response to feedback from the second (external review) comment period conducted March-August 2019, the workgroup made an additional modification to the “Off Throttle Loss of Steering” entry (p. 5). The workgroup recommends adoption of the full list with modifications as presented. [Note: in line with other edits to these lists, the term “incident” would replace “accident” throughout.]

CONTRIBUTING FACTORS/CAUSES* (grouped†) –as approved Sept. 11, 2012

The list beginning page 2 presents the contributing factors/causes work product voted on and approved by the NASBLA membership at its annual Business Meeting conducted Tues., Sept. 11, 2012, Mobile, Alabama. Bracketed information at the end of each definition indicates whether the entry is a new one or will revise an existing term or definition currently used at the national level in BARD. All entries* were vetted through the project review process, including the project team’s refinement of items as a result of feedback received from NASBLA members during the open comment period conducted July 18-Aug. 7, 2012, and the NASBLA membership’s refinement of the Distraction Codes associated with the entry “Improper Lookout/Inattention” on Sept. 10, 2012. See **History**, below, and **Overview of Process** on page 7 of this document.

* **History:** All entries were vetted through the process involving the project team (subgroup of NASBLA Engineering, Reporting & Analysis Committee (ERAC) and since May 2011, additional U.S. Coast Guard subject matter experts); the full ERAC; the NASBLA Executive Board; Coast Guard initial, Office-level review; broader NASBLA community via comment solicitations in July/August 2012; and discussion at the BLA Workshop, conducted as part of the 53rd Annual NASBLA Conference. Sept. 10, 2012.

This list reflects **all changes made by the project team**, including the team’s resolution of feedback received (on the July 2012 proposed list) during the July 18-Aug. 7 open comment period, and resolution of feedback on the Distraction Codes for “Improper Lookout/Inattention” at the Sept. 10, 2012 BLA Workshop. Changes resulting from the feedback during the open comment period were: 1) revision of term label “Too Fast for Conditions” to include “Speed”; 2) amendment of definition for “Failure to Maintain Safe Distance” to reference “prevailing conditions” and indicate applicability to violations of distance or proximity restrictions (not solely “state-regulated” requirements as presented in earlier version); 3) complete revision of definition for “Failure to Take Adequate Evasive Action”; 4) addition of “legal” to the references to intoxication in both terms “Alcohol” and “Drugs”; 5) revision of term label “Standing/Sitting in Area Not Intended for Occupancy” to “Person in Area Not Intended for Occupancy,” addition of “lying” to the definition, and clarification of its application to a vessel’s “specific” operation; 6) addition of an anchor “being retrieved incorrectly” to definition for “Improper Anchoring”; 7) revision of definition for “Improper Loading” to reference “placement of any load or combination of loads”; 8) clarifying applicability of “Overloading” to include “loading beyond the manufacturer’s capacity specifications”; 9) for “Machinery Failure,” deletion of proposed drop-down selections regarding manufacturer/dealer or after-market installation and clarified description of drop-down item “propulsion system failure”; 10) revision of definition for “Off Throttle Loss of Steering” to include “reduced” throttle; 11) elimination of the phrase “from inadequate or improper ventilation” from the definition for “Carbon Monoxide”; 12) grammatical edit of “Weather” definition; 13) revision of definition for “Medical Condition” to clarify intent by excluding applicability to “physical impairments such as poor eyesight, hearing or mobility”; and 14) revision of definition for “Did Not Contribute” to clarify that it could be the operator, occupant(s) or vessel that did not contribute to the accident. Changes resulting from the feedback received during the Sept. 10, 2012 BLA Workshop affect the Distraction Codes for “Improper Lookout/Inattention” (see p. 2).

† Groups loosely based on categories of contributing factors/causes as presented in the annual *Recreational Boating Statistics* reports produced by the U.S. Coast Guard.

**Operation of Vessel Contributing Factors
Operational factors associated with key aspects of the Navigation Rules**

Navigation Rules Violation / Rules of the Road Infraction: *Reserved for data entry use at the national level in the U.S. Coast Guard Boating Accident Report Database (BARD). Term intended solely to capture accident report information that is not or cannot otherwise be captured under one or more of the following contributing factors: Speed Too Fast for Conditions; Lack of or Improper Navigation Lights; Failure to Maintain Safe Distance; Failure to Take Adequate Evasive Action; Improper Lookout/Inattention.* [Revises definition of the existing umbrella terms (“Navigation Rules Violation” / “Rules of the Road Infraction”) to direct and describe the intended use]

Speed Too Fast for Conditions: *Speed above that which a reasonable and prudent person would have operated under the circumstances that existed. It is not necessarily a speed in excess of a posted limit.* [Revises existing term label (“Excessive Speed”)]

Lack of or Improper Navigation Lights: *Insufficient and/or improper navigation lights shown by a vessel that indicate direction of travel, position, activity, or operation.* [Revises existing term labels (“Lack of or improper boat lights” and “Inadequate on board navigation lights”) and definition]

Failure to Maintain Safe Distance: *Operation too close to another vessel, object, or person, whether intentionally (horseplay) or without intent, given the prevailing conditions. This may include a violation of a distance or proximity restriction.* [New term and definition]

Failure to Take Adequate Evasive Action: *The operator observed a potentially dangerous situation and failed to take the action(s) a reasonable and prudent person would have taken to avoid an accident.* [New term and definition]

Improper Lookout/Inattention: *The operator failed to perceive danger, resulting in the accident. This could have been with respect to failure(s) to perceive dangers outside or inside the vessel. May apply to violations of the requirement to maintain a proper lookout.* [Combines existing terms (“Improper Lookout” or “No proper watch” and “Operator Inattention”), creates new primary definition, and creates “distraction codes.”]

Recommendation: Improper Lookout and Operator Inattention rank consistently among the top contributing factors to accidents. However, the factors (or factor, as combined in this revised list) do not provide detail as to why there was a failure to perceive danger. Use of the distraction codes, with further modifications described below, would provide additional detail and rationale for the officer/ investigator’s selection of the factor. Proposal is for mandatory collection of the distraction codes.

Distraction codes for Improper Lookout/Inattention (continue next page)

- **Onboard lighting** – Glare from lighted the objects onboard the vessel, such as improperly shielded navigation lights, onboard electronics, and other similar devices. Specify.
- **Background lighting** – Lights on docks, shorelines, or other vessels. Specify.
- **Onboard electronics or equipment** – Using, attempting to use, viewing or operating onboard electronics or equipment, such as a navigation device, mobile phone, VHF radio, audio device, radar, autopilot, spotlight. Specify. **Recommended: Distinguish between onboard electronics and handheld devices. Revise description of “Onboard electronics or equipment” to remove current reference to mobile phone.**
- **Recommended: Create “Wireless communication devices” code to capture mobile phones, tablets and other handheld devices from onboard equipment.**

**Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard**

- **Operator or occupant activity** – **Recommended: include “pets” among the potential distractions.** Activity such as sightseeing, moving objects, eating, drinking, smoking, interacting with passengers, fixated on other vessels or persons being towed, or otherwise distracted by other persons, **pets**, or objects in or outside the vessel. Specify.
- **Other distraction** – Details regarding the distraction are known, but none of the specified codes is applicable. Specify.
- **Unknown** – Insufficient facts to make any specific distraction determination.

Other Operation of Vessel Contributing Factors

Alcohol: *In the investigating officer's judgment, use of alcohol by the operator or vessel's passengers contributed to the accident. This does not necessarily indicate legal intoxication, only that alcohol consumption contributed to the accident.* [Revises existing term label (“Alcohol use”) and definition]

Drug(s): *In the investigating officer's judgment, use of legal or illegal drug(s) by the operator or vessel's passengers contributed to the accident. This does not necessarily indicate legal intoxication, only that use of drug(s) contributed to the accident.* [Revises existing term label (“Drug use”) and definition]

Operator Inexperience:** *Lack of experience, familiarity or knowledge regarding the vessel, environmental conditions, or location.* [Revises existing primary definition and creates additional drop-down selections]

Recommended: Mandatory collection of the inexperience codes below to justify and detail the officer/investigator’s selection of this factor.

If you entered **Operator Inexperience, select which aspect applies:

- **This vessel** – its operation or controls
- **Environmental conditions** – prevailing conditions at the time of the accident (e.g., weather, waves, current, other types of environmental conditions)
- **Location** – the immediate area where the accident occurred (e.g., shallow water, shoals, wing dikes, other types of underwater obstructions or hazards)

Restricted Visibility – Environmental Conditions: *Visibility limited due to external conditions such as sun glare, fog, rain, snow, spray, limited night visibility or other environmental conditions.* [Revises existing term label (“Restricted Vision”) and creates two separate entries and definitions]

Restricted Visibility - Vessel Related: *Visibility limited due to the vessel's bow elevation, passengers, a dirty windshield, canopy top, or other obstruction in or on the vessel.* [Revises existing term label (“Restricted Vision”) and creates two separate entries and definitions]

Sharp Turn: *An immediate or abrupt change in the vessel’s course.* [Revises existing definition]

Passenger or Gear Contributing Factors

Occupant Behavior: *The actions, lack of experience, familiarity or knowledge of the vessel occupant(s), other than the operator, contributed to the accident.* [Reinstates previously-used term (Passenger/Skier Behavior), but revises to separate into two entries (see also **Towed Watersport Participant Behavior**). Creates new definition for each term]

**Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard**

Towed Watersport Participant Behavior: *The towed watersport participant(s)'s actions, lack of experience, familiarity or knowledge contributed to the accident. [Reinstates previously-used term (Passenger/Skier Behavior), but revises to separate into two entries (see also **Occupant Behavior**). Creates new definition for each term]*

Person(s) in Area Not Intended for Occupancy: *Standing, sitting, or lying in an area of a vessel not intended for occupancy during a vessel’s specific operation. Examples of areas not intended for occupancy during a vessel’s specific operation include, but are not limited to, the gunwale, a cabin top or other elevated platform, the bow, or the stern. [Revises existing term labels (“Standing/Sitting on Gunwales, Bow, or Transom” and “People on gunwale, bow or transom”) and definition]*

Improper Anchoring: *Where a vessel was in the process of being anchored incorrectly, the anchor was being retrieved incorrectly, or the vessel was incorrectly held in place in the water by an anchor. Includes being improperly moored to a buoy or anchored vessel. [Revises existing definition]*

Improper Loading: *The placement of any load or combination of loads on or within the vessel contributed to instability or limited maneuverability. This includes but is not limited to: inadvertent distribution or redistribution of weight. [Revises existing definition]*

Overloading: *Excessive loading of the vessel contributed to instability, limited maneuverability, or dangerously reduced freeboard. May include loading beyond the manufacturer’s capacity specifications. [Revises existing definition]*

Vessel or Vessel Equipment Contributing Factors

Equipment Failure:** *Failure of equipment, either carried or installed. This includes unsafe or improper installation. This does not include the failure to carry required equipment. [Revises existing definition and drop-down selections for which equipment failed; selections presented alphabetical order]*

Recommended: Modifications below

** If you entered **Equipment Failure**, indicate which equipment failed

- **Auxiliary or accessory equipment failure** -- Stoves, heaters, refrigerators, generators, battery chargers, hot water heaters. **Divide entry to distinguish auxiliary equipment that is portable from equipment installed by the manufacturer or marine yard.**
- ~~**Communication equipment failure** – Radio, cell phones, CBs, Emergency Locator Beacons (ELBs), Emergency Position Indicating Radio Beacons (EPIRBs), Digital Selective Calling (DSC) technology.~~ **Remove due to anticipated limited use.**
- ~~**Day Shapes or Flags** – Includes correct placement, size, and visibility.~~ **Remove; as defined it does not reflect an equipment failure.**
- **Fire extinguisher failure.** **Retain entry but add definition indicating it is limited to the failure of an extinguisher that was considered to be serviceable.**
- ~~**Life jacket failure.**~~ **Remove due to anticipated limited use.**
- **Navigation equipment failure** – GPS, radar, depth finder **Retain, but note that this is more likely to be used as a secondary contributing factor.**
- **Navigation light equipment failure lights** -- Improper display; includes required intensity, arc of visibility, and placement. **Rename entry and revise definition to represent Failure of the lights (blown fuse, faulty wire, etc.)**
- ~~**Sail dismasting** – Mast fell down, either onto the vessel or into the water.~~ **Remove due to anticipated limited use.**
- **Seat broke loose** -- Includes the back of the seat or the seat itself, or the base structure that is fixed to the area of the vessel deck supporting the seat.

**Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard**

- **Sound producing equipment failure.** Create a definition to indicate the failure is limited to the equipment itself, not to the lack of use or lack of carriage.
- **Other (describe).** Add entry to accommodate a failure that does not fit any of the above or to accommodate any of the infrequently used entries that are proposed for removal from the permanent list.

Hull Failure: **Recommended definition revision:** *Defect or failure of the structural body of a vessel. This includes the hull material, design, or construction. It does not include the superstructure, masts, or rigging. **This term also includes lack of or inadequate vessel flotation.*** [Revises existing definition]

Machinery Failure:** *Defect or failure in the machinery, material, design, construction, or any installed components involved in the mechanical propulsion of the vessel (e.g., engine, transmission, fuel system, electric system, and steering system). This does not include vessels starting in gear (see **Starting in Gear**).* [Revises existing definition and drop-down selections]

Recommended: Modification below

**Indicate which part of the vessel’s machinery failed:

- **Electric system failure** -- Shock hazard; system shorted out; battery failure; failure of ignition protection.
- **Engine failure** -- Engine would not start; engine stalled.
- **Fuel system failure** -- Fuel tank or fuel lines leaked; clogged fuel lines.
- **Propulsion system failure** – Failure of the propulsion system to operate properly; includes propeller, lower unit gearcase, **and water jet braking system.**
- **Shift failure** -- Shifting mechanism would not operate properly. Drive system would not go into gear, went into gear by itself without warning, or would not disengage.
- **Steering system failure** -- Failure of the assembly, including all components necessary to transmit remote manual effort to the rudder, sterndrive, water jet drive or outboard engine (includes cable, pulleys, fittings, hydraulic components).
- **Throttle failure** -- Throttle mechanism would not operate properly.
- **Ventilation system failure** -- Failure of the ventilation system that exchanges air and expels gasoline vapors from the engine compartment.

Off Throttle Loss of Steering: **Recommended addition of note for appropriate selection of term:** *The operator released or reduced throttle, or there was loss of engine power, which resulted in little or no steering capability. This is usually associated with water jet propulsion units or airboats. **[NOTE: If this incident occurred primarily as a result of the operator’s inexperience, select “Operator Inexperience” with “Off Throttle Loss of Steering” as a secondary or tertiary contributor.]*** [Revises existing term label (“Off Throttle Steering”) and definition]

Starting in Gear: *The vessel’s engine was started with the drive system in forward or reverse.* [Revises existing definition]

Carbon Monoxide: *The accumulation of carbon monoxide contributed to the accident.* [Creates definition for CO as a contributing factor]

Ignition of Fuel or Vapor: **Recommended definition revision:** *Accidental ~~combustion~~ **ignition** of **combustible gases**, vessel fuels, or fuel vapors.* [Revises existing term label (“Ignition of Spilled Fuel or Vapor”) and definition]

**Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard**

Failure to Ventilate: *Prior to starting the engine, failure to take action to expel gasoline vapors from a machinery space or enclosed compartment.* [Revises existing term label (“Failure to Vent”) and definition]

Environment Contributing Factors

Congested Waters: *Vessels operating in close proximity to one another as a result of high density of vessel activity in the immediate area at the time of the accident.* [Revises existing definition]

Dam / Lock: *A vessel(s) operated in, near, on or over a dam or lock and the structure contributed to the accident.* [Revises existing definition]

Hazardous Waters:** **Recommended definition revision:** *Water conditions such as currents, rapids, or rapid tidal flows, **or unseen underwater hazards** contributed to the accident.* [Revises existing primary definition and creates follow-up selections]

Recommended: Mandatory selection of a subcategory below to detail the officer/investigator’s selection of this factor. Addition of a third subcategory.

** If you entered **Hazardous Waters**, indicate:

- **Weather-related hazardous water conditions.**
- **Inherent to location.**
- **Hazard in the water**

Weather: **Recommended definition revision:** *One or more atmospheric conditions, such as thunderstorms, lightning, wind, rain, sleet, fog or snow, created an adverse environmental situation that contributed to the accident. **If water conditions were caused by the weather, then select “Hazardous Waters” factor with subcategory “Weather-related hazardous water conditions.”*** [Revises existing definition]

Recommended term label and definition revisions: Wake/Wash: *The wake **or wash** created by a vessel(s) contributed to the accident.* [Revises existing term label (“Force of Wave/Wake”) and definition]

**Recommended term label and definition revisions: ~~Missing or Inadequate Navigation Aids~~
Authorized Navigation Aid Failed or is Missing:** *The ~~absence of~~, ineffective presence of, ~~missing~~, or off-station navigation aid(s) **This does not include navigation aids that should have been in place but were not authorized.*** [Revises existing definition]

Miscellaneous Contributing Factors

Language Barrier: *A limited English proficiency with regard to understanding or comprehending navigation rules, buoys, signs, laws, regulations, or instructions contributed to the accident.* [Creates definition for a term presented on current version of the U.S. Coast Guard BAR form (expires 7/31/14)]

Recommended term label revision and clarification of intent: Medical Event ~~Condition~~: *A person on a vessel or a towed watersport participant experienced a medical condition(s) that contributed to but was not the result of the accident. This does not include physical impairments such as poor eyesight, hearing, or mobility.* [Revises existing term label (“Sudden medical condition”) and definition] **Revision intended**

Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA's Engineering, Reporting & Analysis Committee and the U.S. Coast Guard

to reflect a spontaneous, unexpected event versus a pre-existing condition. The various physical impairments and other health-related issues specifically excluded from this factor could be collected by a state, but would not be mandated for national collection.

Did Not Contribute: *The operator, occupant(s), or vessel did not contribute to the accident.* [New term and definition]

Other / Describe: *Contributing factors(s) that are not described. Provide brief description.* [Creates definition] **Recommended: Mandatory completion of the description field.**

Unknown / Explain: *Insufficient information to determine the contributing factor(s) of the accident. Provide brief explanation.* [Creates definition] **Recommended: Mandatory completion of the description field.**

Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA's Engineering, Reporting & Analysis Committee and the U.S. Coast Guard

Overview of Process: The review process for this Accident Reporting Terms and Definitions Project was accepted by the NASBLA Executive Board and the USCG Office of Auxiliary and Boating Safety in mid-June 2011. For each category of report terms:

- Achieve project team consensus on terms/definitions through series of teleconferences and interim work;
- Share team consensus list with and get feedback from full ERAC committee and NASBLA Executive Board and the U.S. Coast Guard (for initial, Office-level review);
- Share the resulting, refined list with and get feedback from the States/Territories using a structured, open comment period;
- Review responses to assess need for additional team refinements to the entries;
- Submit final consensus list to the NASBLA Executive Board for delivery to and vote by the NASBLA membership;
- Transmit to the U.S. Coast Guard for final review and clearance through its appropriate internal channels.

In March 2018, the USCG/States/NASBLA ERAC Incident Reporting Policy Project Workgroup reviewed and proposed some modifications to entries in this Operation list as it developed recommendations regarding Data Elements/Fields/Definitions for national collection. The workgroup recommends adoption of the list with modifications to the Propulsion and Speed aspects of Operation (so marked on page 4). [Note: in line with other edits to these lists, the term “incident” would replace “accident” throughout.]

**OPERATION OF THE VESSEL AT THE TIME OF THE ACCIDENT*
(Grouped by aspect of operation[†]) – as approved Sept. 3, 2013**

This list presents the operation work product voted on and approved by the NASBLA membership in a process authorized under NASBLA’s Bylaw III, Section 8.[‡] The basic framework for this report category—with entries placed into four groups representing different aspects of operation—is presented on page 2. The list of terms and definitions for all entries begins on page 3. Bracketed information at the end of each definition indicates whether the entry is a new one or revises a term label or definition currently used at the national level in BARD.

All entries were vetted through the project review process, up to and including the project team’s modification of a June 2013 proposal that was released to the States on July 11, 2013; the refinements were in response to requests for clarification received from NASBLA members in the final review and comment period conducted July 11-29, 2013. See **History**, below, and **Overview of Process** on page 5 of this document.

* **History:** All entries were vetted through a multi-stage review process involving the project team (subgroup of NASBLA Engineering, Reporting & Analysis Committee (ERAC), including additional U.S. Coast Guard subject matter experts); the full ERAC; the NASBLA Executive Board; and the broader NASBLA community via two open comment solicitations – the first, Feb. 22-March 24, 2013, and the second, July 11-29, 2013 (following the release of a revised version of the list on July 11). Comments also were received from NASBLA membership during a Feb. 28, 2013 session conducted as part of the NASBLA Spring BLA Workshop (recorded and made available online), and a July 15, 2013 national teleconference/webinar (recorded and made available online). List reflects **all changes**, including the project team’s resolution of feedback received during the July review and issues identified in its final discussions on the entries. Changes resulting from the July feedback were: 1) amendment of the definitions for “Drifting” and “Non-Planing Vessel at Speed” to further clarify their applicability to non-motorized vessels including canoes, kayaks, and whitewater rafts; and 2) for consistency, technical edits to the definitions for “Maintaining Course,” “Changing Speed – Accelerating,” “Changing Speed – Decelerating,” and “Maintaining Speed.”

[†] Operational status, Propulsion, Course, and Speed at the time of the accident.

[‡] **Voting process:** Voting was authorized under NASBLA Bylaw III, Section 8 (Conducting Interim Business). A Request for Vote was initiated in an Aug. 2, 2013 email to all Boating Law Administrators by John Johnson, NASBLA CEO, on behalf of the NASBLA Executive Board. The original 30-day voting period had an Aug. 31, 2013 deadline for receipt of ballots by email, fax, or postal mail; the deadline was extended to Sept. 3, 2013 to accommodate a holiday weekend. By the Sept. 3 deadline, 44 NASBLA member States had cast ballots, with 43 in the affirmative for this product (and two other work products moving through the process simultaneously).

FOUR ASPECTS OF OPERATION OF THE VESSEL AT THE TIME OF THE ACCIDENT:

“Operation at the time of the accident” is described by selecting **ONE** entry **from each** group of entries, in the following order

Operational Status at the Time of Accident (page 3)

- Aground
- Anchored
- Drifting
- Idling
- In Reverse
- Moored to Fixed Object
- Moored to Floating Object
- On Plane
- Non-Planing Vessel at Speed
- Plowing
- Rafted
- Other (specify)
- Unknown

Propulsion of Vessel at Time of Accident (see recommended changes, page 4)

- Under Mechanical Propulsion
- Under Electric Trolling Motor Propulsion
- Under Human Propulsion
- Under Sail
- Not in use
- Unknown

Course at Time of Accident (page 4)

- Altering course
- Maintaining course
- Not underway
- Unknown

Speed at Time of Accident (see recommended changes, page 4)

- Changing Speed – Accelerating
- Changing Speed – Decelerating
- Maintaining Speed
- Not underway
- Unknown

OPERATIONAL STATUS AT TIME OF THE ACCIDENT

Aground: *Vessel was resting on the bottom of the body of water without aid of a buoy or dock, but may have been secured to the shore with cables or lines.* [New term and definition]

Anchored: *Vessel was kept stationary by use of an anchor attaching the hull of the vessel to the bottom of the body of water (does not include a vessel secured to a mooring buoy; see **Moored to a Floating Object**).* [Revises existing term label (“At Anchor”) and definition]

Drifting: *Vessel was under way without use of engine propulsion, paddles, oars or sails; being carried along only by the tide, current, or wind.* [Revises existing definition]

Idling: *Vessel, with engine in gear, was making way while off plane and at slow speed, making little or no wake.* [Creates definition]

In Reverse: *Vessel was being operated in reverse gear.* [New term and definition]

Moored to Fixed Object: *Vessel was secured to a fixed structure, such as a dock, pier, or wharf.* [Revises existing term label (“Tied to Dock/Moored”) and creates definition]

Moored to Floating Object: *Vessel was secured to a buoy or other floating object (excludes another vessel or a floating dock).* [Revises existing term label (“Tied to Dock/Moored”) and creates definition]

On Plane: *Vessel speed was sufficient to maintain a relatively level attitude and the vessel was higher in the water than when drifting, idling, or plowing.* [New term and definition]

Non-Planing Vessel at Speed: *Vessel was under way using engine propulsion, paddles, oars or sails while maintaining a relatively level attitude, and vessel speed was greater than drifting or idling. This status may be applied to non-motorized vessels, including but not limited to, canoes, kayaks, and whitewater rafts, as well as non-planing motorized vessels.* [New term and definition]

Plowing: *Vessel speed was greater than idling, but the vessel was not on plane. The bow of the vessel was relatively elevated and the vessel was creating a larger wake than at other speeds. This may have been due to changing speed or may be intentional and prolonged, such as while conducting a towed watersport activity.* [New term and definition]

Rafted: *Vessel was secured to one or more vessels.* [New term and definition]

Other (specify): *Vessel operation(s) that are not described. Provide brief description _____.* [Creates definition]

Unknown: *Insufficient information to determine vessel’s operational status.* [Creates definition specific to operational status]

PROPULSION OF VESSEL AT TIME OF THE ACCIDENT

Recommendations:

- Capture both the type of available propulsion and what was actually in use at the time of the incident
- To the list of original terms below, add options for water jet and air thrust (with their CFR definitions) in order to incorporate all of the available propulsion terms already authorized in CFR
- For implementation, consider formatting as a drop-down menu for Available and Used.

Under mechanical propulsion: *Vessel was propelled through the water using mechanical propulsion other than an electric trolling motor.* [New term and definition]

Under electric trolling motor propulsion: *Vessel was propelled through the water with the use of an electric trolling motor (a self-contained unit that includes an electric motor, propeller, and controls).* [Revises existing term label (“Trolling”) and creates definition]

Under human propulsion: *Vessel was propelled through the water by paddling, pedaling, polling, or rowing.* [Revises existing term label (“Rowing/Paddling”) and creates new definition]

Under sail: *Vessel was propelled through the water solely by sail.* [Revises existing term label (“Sailing”) and creates new definition]

Not in use: *Vessel was not being propelled by any means at the time of the accident.* [New term and definition]

Unknown: *Insufficient information to determine vessel’s propulsion.* [Creates definition specific to propulsion]

COURSE AT TIME OF THE ACCIDENT

Altering Course: *The vessel’s direction was changing.* [Revises existing term label (“Changing Direction”) and creates new definition]

Maintaining Course: *The vessel’s direction was not changing.* [Revises existing term (“Cruising”) and creates new definition]

Not Underway: *Vessel was anchored, moored, or aground at the time of the accident.* [New term and definition]

Unknown: *Insufficient information to determine vessel’s course.* [Creates definition specific to course]

SPEED AT TIME OF THE ACCIDENT

Recommendations:

- Add a “Not making way” selection and definition to this aspect of Operation to reflect a vessel that was drifting (i.e., underway, but not making way)
- Create a field for voluntary recording of estimated speed in mph

Changing Speed – Accelerating: *The vessel’s speed was increasing.* [Revises existing term label (“Changing Speed”) and creates new definition]

Changing Speed – Decelerating: *The vessel’s speed was decreasing.* [Revises existing term label (“Changing Speed”) and creates new definition]

Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard

Maintaining Speed: *The vessel’s speed was not changing.* [Revises existing term (“Cruising”) and creates new definition]

Not Underway: *Vessel was anchored, moored, or aground at the time of the accident.* [New term and definition]

Unknown: Insufficient information to determine vessel’s speed. [Creates definition specific to speed]

Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard

Overview of Process: The review process for this Accident Reporting Terms and Definitions Project was accepted by the NASBLA Executive Board and the USCG Office of Auxiliary and Boating Safety in mid-June 2011. For each category of report terms:

- Achieve project team consensus on terms/definitions through series of teleconferences and interim work;
- Share team consensus list with and get feedback from full ERAC committee and NASBLA Executive Board and the U.S. Coast Guard (for initial, Office-level review);
- Share the resulting, refined list with and get feedback from the States/Territories using a structured, open comment period;
- Review responses to assess need for additional team refinements to the entries;
- Submit final consensus list to the NASBLA Executive Board for delivery to and vote by the NASBLA membership;
- Transmit to the U.S. Coast Guard for final review and clearance through its appropriate internal channels.

On September 11, 2012, NASBLA membership approved Resolution 2012-3 (In support of the Accident Reporting Terms and Definitions Project, the adoption of standardized terms and definitions by the U.S. Coast Guard, and actions to facilitate their application), and under its provisions, the first two work products in the series – Accident Types/Events and Accident Contributing Factors/Causes.

On September 3, 2013, NASBLA membership approved the final three work products in the series – Operation, Activity, and Vessel Sub-Types (for optional use with authorized Vessel Types).

In January-February 2018, the USCG/States/NASBLA ERAC Incident Reporting Policy Project Workgroup reviewed the entries in this Vessel Types/Sub-Types list as it developed recommendations regarding Vessel Determinations and Data Elements/Fields/Definitions for national collection. The workgroup recommendation is to make the list of subtypes available for voluntary use in a revamped reporting system (currently titled “BARD”) as drop-downs from the primary, authorized Vessel Types. States that choose to use subtypes would select from the lists here. Two other workgroup recommendations are marked on page 7.

VESSEL SUB-TYPES FOR USE WITH AUTHORIZED VESSEL TYPES*† (Grouped by authorized types) – as approved Sept. 3, 2013

This list presents the vessel types/sub-types work product voted on and approved by the NASBLA membership in a process authorized under NASBLA’s Bylaw III, Section 8.‡ The basic framework for this report category—with the 12 vessel types that have been set in regulation for the States’ implementation by January 2017, and vessel sub-types for optional use under selected vessel types—is presented on page 2. The list of terms and definitions for all entries begins on page 3.

All vessel sub-type entries were vetted through the project review process, up to and including the project team’s modification of the June 2013 proposal on Vessel Sub-Types that was released to the States on July 11, 2013; the refinements were in response to requests for clarification received from NASBLA members in the final review and comment period conducted July 11-29, 2013. See **History**, below, and **Overview of Process** on page 8 of this document.

* The **12 Authorized Vessel Types** have been set in regulation as per the U.S. Coast Guard’s Final Rule on Changes to Standard Numbering System, Vessel Identification System, and Boating Accident Report Database, 33 C.F.R. Parts 173, 174, 181, 187, issued March 28, 2012, with implementation by the states no later than January 2017. The **Vessel Sub-Types** are for **optional use**.

† **History**: Vessel sub-types entries were vetted through a multi-stage review process involving the project team (subgroup of NASBLA Engineering, Reporting & Analysis Committee (ERAC), including additional U.S. Coast Guard subject matter experts); the full ERAC; the NASBLA Executive Board; and the broader NASBLA community via two open comment solicitations – the first, Feb. 22-March 24, 2013, and the second, July 11-26, 2013 (following the release of a revised version of the list on July 11). Comments also were received from NASBLA membership during a Feb. 28, 2013 session conducted as part of the NASBLA Spring BLA Workshop (recorded and made available online), and a July 15, 2013 national teleconference/webinar (recorded and made available online). List reflects **all changes, including** the project team’s resolution of feedback received during the July review and issues identified in its final discussions on the entries. Changes resulting from the July feedback are: 1) appended clarification (bracketed and not part of the official definition) to guide the placement of “Flyboards” and “JetLevs” into “Personal Watercraft” (authorized Type); 2) amendment of the definition for the “Whitewater Raft” Sub-Type under “Inflatable Boat” (authorized Type); and 3) for consistency, technical edits to the definitions for the “unspecified” Sub-Types that fall under certain of the Vessel Types.

‡ **Voting process**: Voting was authorized under NASBLA Bylaw III, Section 8 (Conducting Interim Business). A Request for Vote was initiated in an Aug. 2, 2013 email to all Boating Law Administrators by John Johnson, NASBLA CEO, on behalf of the NASBLA Executive Board. The original 30-day voting period had an Aug. 31, 2013 deadline for receipt of ballots by email, fax, or postal mail; the deadline was extended to Sept. 3, 2013 to accommodate a holiday weekend. By the Sept. 3 deadline, 44 NASBLA member States had cast ballots, with 43 in the affirmative for this product (and two other work products moving through the process simultaneously).

AUTHORIZED VESSEL TYPES AND OPTIONAL VESSEL SUB-TYPES

| VESSEL TYPES terms authorized in 33 CFR 173.57 (eff. 1/17) | VESSEL SUB-TYPES for optional use with the authorized Vessel Types, to expand the selections |
|--|--|
| Open Motorboat | Bass Boat |
| | Center Console |
| | Runabout |
| | Runabout-Bow Rider |
| | Runabout-Low Profile |
| | Ski Boat |
| | Wakeboard Boat |
| | Deck Boat |
| | Jon/Utility Boat |
| | Offshore Performance Boat (Open Style) |
| | Rigid Hull Inflatable Boat |
| | Open Motorboat (unspecified) |
| | Cabin Motorboat |
| Cuddy Cabin Cruiser | |
| Offshore Performance Boat (Cuddy Cabin Style) | |
| Cabin Motorboat (unspecified) | |
| Paddlecraft | Canoe – Unspecified |
| | Canoe – Whitewater version |
| | Canoe – Decked version |
| Paddlecraft | Kayak – Unspecified |
| | Kayak – Whitewater version |
| | Kayak – Recreational version |
| | Kayak – Touring version |
| | Kayak – Sit-on-top version |
| | Paddleboard |
| | Paddlecraft (unspecified) |
| Personal Watercraft | |
| Pontoon Boat | |
| Sail Only | Sailboat |
| | Kiteboard |
| | Sailboard |
| | Sail Only (unspecified) |
| Auxiliary Sail | |
| Airboat | |
| Houseboat | |
| Inflatable Boat (see p. 7) | Whitewater Raft (see p. 7) |
| | Inflatable Boat (unspecified) |
| Rowboat (see p. 7) | Drift Boat |
| | Rowing Shell |
| | Rowboat (unspecified) |
| Other | Other (Describe) |
| | Possible sub-types to code as Other |
| | Amphibious Vehicle |
| | Hovercraft |
| | Pedal Boat |

VESSEL SUB-TYPES associated with AUTHORIZED VESSEL TYPES

In this list, the main Vessel Types entries authorized and defined in regulation as a result of the issuance of the Final Rule on Changes to SNS, VIS and BARD are identified by yellow highlighted term labels. The optional use Vessel Sub-Types entries—and in the case of Paddlecraft Sub-Types, “versions” of two of the sub-types—are identified by underlined term labels.

The term labels and definitions for the authorized Types—Open Motorboat, Cabin Motorboat, Paddlecraft, Personal Watercraft, Pontoon Boat, Sail Only, Auxiliary Sail, Airboat, Houseboat, Inflatable Boat, and Rowboat—are as defined in regulation. However, clarifying information—not intended to be part of the official definitions—has been appended to Personal Watercraft, Pontoon Boat and Inflatable Boat. Also, a definition is presented for “Other,” a Vessel Type term label that was authorized, but not defined in CFR.

OPEN MOTORBOAT (continues next page)

OPEN MOTORBOAT: *A vessel equipped with propulsion machinery and having an open load carrying area that does not have a continuous deck to protect it from the entry of water.*

Bass Boat: *Generally, an outboard powered vessel designed for inland bass fishing or inshore fishing; usually distinguished by a small, two or three occupant cockpit with decking covering most of the rest of the vessel; the decking typically has built-in sockets for the insertion of pedestal fishing seats for use only when the vessel is still or moving slowly; usually propelled additionally by a bow-mounted electric trolling motor.*

Center Console: *A single-decked open hull vessel where the console is in the center of the vessel. The deck surrounds the console so that a person can walk all around the vessel from stern to bow with ease.*

Runabout: *A vessel with a deck covering the bow, with an offset helm, conventional seating and windshield, and typically between 17 and 30 feet in length.*

Runabout-Bow Rider: *A vessel with an open bow area and seats in front of an offset helm station, with conventional seating and windshield, and typically between 17 and 30 feet in length.*

Runabout-Low Profile: *A closed bow vessel, with low freeboard/transom, shallow V configuration, powered by a large engine, and typically between 17 and 30 feet in length.*

Ski Boat: *A vessel with a shallow draft V bottom hull; typically inboard powered; designed primarily for towed watersports.*

Wakeboard Boat: *A vessel with a shallow draft V bottom hull; typically inboard powered; designed primarily for wakeboarding; typically has a wakeboard tower and some type of adjustable variable onboard ballast system or adjustable transom tab in order to create larger wakes.*

Deck Boat: *A vessel with large open spaces in the interior and plenty of seating, typically with a deep-V or tri-hull construction. If closed cylinder buoyancy, see **PONTOON BOAT**.*

Jon/Utility Boat: *An open, lightweight vessel, usually constructed of aluminum and usually with bench seats.*

Offshore Performance Powerboat (Open Style): *A high performance vessel of open fiberglass construction with a deep V or catamaran offshore racing hull; usually 30 to 50 feet long; relatively narrow in beam and generally equipped with two or more powerful engines.*

Rigid Hull Inflatable Boat (RIB/RHIB): *A relatively light-weight vessel constructed with a solid, shaped hull and flexible or foam-filled tubes around much of the vessel’s perimeter.*

Open Motorboat (unspecified): *Vessel does not fit any of the Open Motorboat Sub-Type descriptions.*

CABIN MOTORBOAT

CABIN MOTORBOAT: *A vessel propelled by propulsion machinery and providing enclosed spaces inside its structure.*

Cabin Cruiser: *A vessel with a cabin that can be completely closed by means of doors or hatches.*

Cuddy Cabin Cruiser: *A vessel with a small cabin, galley, head, and berth; typically, the cuddy is not tall enough to stand in.*

Offshore Performance Powerboat (Cuddy Cabin Style): *A high performance cabin vessel of fiberglass construction with a deep V or catamaran offshore racing hull; usually 30 to 50 feet long; relatively narrow in beam and generally equipped with two or more powerful engines.*

Cabin Motorboat (unspecified): *Vessel does not fit any of the Cabin Motorboat Sub-Type descriptions.*

PADDLECRAFT (continues next page)

PADDLECRAFT: *A vessel powered only by its occupants, using a single- or double-bladed paddle as a lever without the aid of a fulcrum provided by oarlocks, thole pins, crutches, or similar arrangements.*

Canoe-Unspecified: *A vessel typically pointed upwards at both ends and open on top; propelled by single-bladed paddles.*

Canoe-Whitewater version: *A vessel designed for whitewater; propelled by single-bladed paddles; generally has more bow and stern curvature (rocker) and supplemental flotation, in the form of bow, stern or center air bags, than its flatwater counterpart; may be outfitted for tandem, solo or both.*

Canoe-Decked version: *A vessel propelled by single-bladed paddles; has a spray-skirt to enclose the open portion of the canoe; the paddler kneels in it and uses a canoe paddle.*

Kayak-Unspecified: *A vessel propelled by double-bladed paddles, by one or more seated individuals facing the direction of travel.*

Kayak-Whitewater version: *A vessel designed for whitewater; propelled by double-bladed paddles; generally has more bow and stern curvature (rocker), which aids in maneuverability; generally uses a spray-skirt; generally, a shorter kayak, but may be as long as 12 feet.*

Kayak-Recreational version: *A vessel propelled by double-bladed paddles; typically has a large cockpit with or without a provision for sealing the opening to the body of the occupant (i.e., spray-skirt); typically less than 12 feet in length, with wider beam and larger cockpit than a touring version kayak.*

Kayak-Touring version: *A vessel propelled by double-bladed paddles; typically has built-in storage capacity for gear and provision for sealing the cockpit opening to the body of the occupant with a water-tight spray-skirt; normally longer and more slender in construction than a recreational version kayak. (Includes sea kayaks)*

Kayak-Sit-on-top version: *A vessel that one sits on top of, not inside of; propelled by double-bladed paddles; has a sealed, watertight deck surface into which seats and features might be molded; does not have an opening that can be sealed around the occupant, but may have thigh straps.*

Paddleboard: *A vessel, similar in appearance to a surfboard, but may vary significantly in length; intended to be propelled with a single- or double-bladed paddle.*

Paddlecraft (unspecified): *Vessel does not fit any of the Paddlecraft Sub-Type descriptions.*

PERSONAL WATERCRAFT **PERSONAL WATERCRAFT:** *A vessel propelled by a water-jet pump or other machinery as its primary source of motive power and designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than sitting or standing within the vessel’s hull. [Includes tethered water thrust equipment.] §*

PONTOON BOAT

PONTOON BOAT: *A vessel with a broad, flat deck that is affixed on top of closed cylinders which are used for buoyancy, the basic design of which is usually implemented with two rows of floats as a catamaran or with three rows of floats as a trimaran. [If typical deep-V or tri-hull construction, see **OPEN MOTORBOAT - Deck Boat.**] ***

§ Bracketed information is intended only for clarification of application and is not part of official definition.

** Bracketed information is intended only for clarification of application and is not part of official definition. Definition for **Deck Boat** (proposed **OPEN MOTORBOAT** sub-type) directs users to **PONTOON BOAT** in the event of closed cylinder buoyancy. The distinction and appropriate application is also to be addressed in training.

SAIL ONLY

SAIL ONLY: *A vessel propelled only by sails.*

Sailboat: *A vessel with sail as its only method of propulsion.*

Kiteboard: *A vessel, similar in appearance to a surfboard, with or without foot-straps or bindings, combined with a large controllable kite to propel the rider and board across the water.*

Sailboard: *A vessel, similar in appearance to a surfboard, equipped with a swivel mounted mast and sail not secured to a hull by guys or stays.*

Sail Only (unspecified): *Vessel does not fit any of the Sail Only Sub-Type descriptions.*

AUXILIARY SAIL

AUXILIARY SAIL: *A vessel with sail as its primary method of propulsion and mechanical propulsion as its secondary method.*

AIRBOAT

AIRBOAT: *A vessel that is typically flat-bottomed and propelled by an aircraft-type propeller powered by an engine.*

HOUSEBOAT

HOUSEBOAT: *A motorized vessel that is usually non-planing and designed primarily for multi-purpose accommodation spaces with low freeboard and little or no foredeck or cockpit.*

INFLATABLE BOAT

Recommended: All of the CFR-authorized Vessel Types are based on the vessel’s propulsion; this is the only one based on hull type/material. Recommend removal of “Inflatable Boat” as a Type (would require regulatory change) and creation of a check box on the incident report form for inflatable construction. Upon removal of this Type, recommend moving Vessel Subtype “Whitewater Raft” to the “Rowboat” Vessel Type and deleting the “Inflatable Boat (unspecified)” subtype.

INFLATABLE BOAT: *A vessel that uses air-filled flexible fabric for buoyancy. [If equipped with mechanical propulsion, see OPEN MOTORBOAT.]*^{††}

Whitewater Raft: *A vessel designed for use on whitewater, consisting of very durable, multi-layered rubberized (hypalon) or vinyl fabrics (PVC) with independent air chambers; may be steered with paddles at the stern or with central helm oars.*

Inflatable Boat (unspecified): *Vessel does not fit the Whitewater Raft Sub-Type description.*

ROWBOAT

Recommended: See recommendation under “Inflatable Boat.”

ROWBOAT: *An open vessel manually propelled by oars.*

Drift Boat: *A vessel with a wide, flat bottom for low draft; flared sides; a narrow, flat bow, often mistaken for the transom; and a pointed stern; specialized to run rapids on rivers.*

Rowing Shell: *A light, long, narrow racing vessel for rowing by one or more persons.*

Rowboat (unspecified): *Vessel does not fit any of the Rowboat Sub-Type descriptions.*

OTHER (continues next page)

OTHER (Describe): *If the vessel does not fit any of the descriptions above, enter another term for the vessel that best describes it.*^{‡‡}

Proposed SUB-TYPES that would appropriately fit under “OTHER”

Amphibious Vehicle: *A motorized, wheeled vehicle that can be operated as a vessel.*

^{††} Bracketed information is intended only for clarification of application and is not part of official definition. **INFLATABLE BOAT**, unlike the other main, authorized Vessel Types, focuses on hull type instead of propulsion. Given how vessels are currently coded in BARD, users are directed to look to the propulsion type as a primary consideration before resorting to use of this entry.

^{‡‡} **OTHER** is an authorized Vessel Type, but was not defined in the Final Rule. This is the recommended definition.

**Accident Reporting Terms and Definitions Project –
Building consensus around standardized terms and definitions in accident report categories
NASBLA’s Engineering, Reporting & Analysis Committee and the U.S. Coast Guard**

Hovercraft: *A vessel capable of moving over water or land on a cushion of air created by downward directed fans powered by engine(s).*

Pedal Boat: *A vessel mechanically propelled by paddles, worked by one or more operators’ feet and legs.*

Overview of Process: The review process for this Accident Reporting Terms and Definitions Project was accepted by the NASBLA Executive Board and the USCG Office of Auxiliary and Boating Safety in mid-June 2011. For each category of report terms:

- Achieve project team consensus on terms/definitions through series of teleconferences and interim work;
- Share team consensus list with and get feedback from full ERAC committee and NASBLA Executive Board and the U.S. Coast Guard (for initial, Office-level review);
- Share the resulting, refined list with and get feedback from the States/Territories using a structured, open comment period;
- Review responses to assess need for additional team refinements to the entries;
- Submit final consensus list to the NASBLA Executive Board for delivery to and vote by the NASBLA membership;
- Transmit to the U.S. Coast Guard for final review and clearance through its appropriate internal channels.

On September 11, 2012, NASBLA membership approved Resolution 2012-3 (In support of the Accident Reporting Terms and Definitions Project, the adoption of standardized terms and definitions by the U.S. Coast Guard, and actions to facilitate their application), and under its provisions, the first two work products in the series – Accident Types/Events and Accident Contributing Factors/Causes.

On September 3, 2013, NASBLA membership approved the final three work products in the series – Operation, Activity, and Vessel Sub-Types (for optional use with authorized Vessel Types).