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NASBLA.org

January 27, 2016

Office of Information and Regulatory Affairs  
Office of Management and Budget  
725 17<sup>th</sup> Street NW  
Washington, DC 20503  
Attention: Desk Officer for the Coast Guard

**Submitted via email and  
Regulations.gov**

**RE: OMB Control No. 1625-0003; Docket No. USCG-2015-0629**

I am writing to comment on the U.S. Coast Guard's **Notice of Collection of Information under Review by Office of Management** regarding existing collection 1625-0003, **Boating Accident Report**.

In September 2015, the National Association of State Boating Law Administrators (NASBLA), which represents the recreational boating law officials in the 50 states and six U.S. territories, submitted comments to the 60-day Notice of the Coast Guard's intent to submit the request for approval regarding this existing collection. The NASBLA submission, which is included again as part of this transmission, was in accord with the association's review of the Notice and action taken by its membership.

The purpose in commenting again is not to challenge the merits of the collection or the approval of the information collection request. Instead it is to address the Coast Guard's response to the association's original comments as it appeared in this 30-day Notice, and in particular, to address the following:

*"... They claim that at this time, two factors limit their ability to respond to this Notice in a more comprehensive and meaningful way. Firstly, they claim that terminology may change depending on the results of a notice of proposed rulemaking on Accident Reporting. However, until the notice of proposed rulemaking is published and finalized, no changes will be made to the BAR as explained in COMMENT #1. The next iteration of the BAR may need changes if the rulemaking, when finalized, make it appropriate...."*



This is an inaccurate characterization of our original comments. NASBLA is aware that there has yet to be published any proposed rulemaking on accident reporting, though we are aware that such a regulatory project has been initiated. Our comments make no mention of changes to terminology on that basis.

The rulemaking that the association *did* identify in the comments was the previously published Changes to Standard Numbering System, Vessel Identification System, and Boating Accident Report Database [Final Rule; 33 CFR Parts 173, 174, 181, and 187; Docket No. USCG–2003–14963; RIN 1625–AB45]. It was issued on March 28, 2012, with portions effective Jan. 1, 2017.

As such, while the Coast Guard is not seeking any modifications to the information collection request or to the BAR forms at this time, we stand by the presumption stated in our original comments—that the forms *will* need to be updated, *at minimum*, to ensure conformity with terminology and other changes to the casualty report content as authorized in the published final rule referenced above.

Thank you for the opportunity to comment and to clarify our position.

Sincerely,

A handwritten signature in black ink that reads "Darren P. Rider". The signature is written in a cursive, flowing style.

Darren P. Rider  
President



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September 21, 2015

Docket Management Facility (M-30)  
U.S. Department of Transportation  
West Building Ground Floor, Room W12-140  
1200 New Jersey Ave, SE  
Washington, DC 20590-0001

**Submitted via [regulations.gov](http://regulations.gov)**

**RE: Docket No. USCG-2015-0629**

On behalf of the National Association of State Boating Law Administrators (NASBLA), which represents the recreational boating law officials in the 50 states and six U.S. territories, I am writing to comment on the U.S. Coast Guard's **Notice of Intent to Submit an Information Collection Request to the Office of Management and Budget regarding approval of an extension of the current collection 1625-0003, Boating Accident Report**. This submission is in accord with the association's review of this Notice and action taken by the membership at the NASBLA Annual Business Meeting, Sept. 15, 2015, in Wichita, Kansas.

It is our understanding that the primary purpose of this Notice is to solicit public comment on the utility and other aspects of this data collected under the authority of Title 46 U.S.C. 6201(a) and (b), with implementing regulations contained in 33 CFR 173 and 174. We are aware that the Coast Guard last received OMB approval for this information collection on Dec. 2, 2012—approval that was pursued in accordance with the preamble to the Final Rule on Changes to Standard Numbering System [SNS], Vessel Identification System [VIS], and Boating Accident Report Database [BARD] (hereafter referred to as "final rule") issued March 28, 2012, and that the approval for this and the other collections cited in the final rule will expire on Dec. 31, 2015.

We affirm the critical importance of collecting recreational boating accident report data in order to define and direct our national- and state-level programs toward the common goals of reducing accidents, injuries and fatalities. **However, at this time, two factors limit our ability to respond to this Notice in a more comprehensive and meaningful way.**



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First, it is our understanding that in seeking this approval for extension of the collection, the Coast Guard is not proposing modifications to the current Coast Guard Boating Accident Report (BAR) collection forms. However, the BAR forms CG-3865 and CG-3865SP *will* need to be updated, at minimum, to ensure conformity with terminology and other changes to the casualty report content as authorized in the final rule referenced above. Presumably, the Coast Guard will need to prepare and publish a follow-up Federal Register Notice focusing specifically on changes to the forms in order to meet the Jan. 1, 2017 effective date.

Second, while the comment period on this **1625-0003, Boating Accident Report** collection closes Sept. 29, there is a related and far more comprehensive Federal Register Notice that is open for comment until Nov. 19, 2015. The association is currently examining the larger implications of that Notice **2015-20738: Recreational Boating Accident Reporting Manual, COMDTINST M16782.1** (Docket No. USCG-2015-0753).

To the point, the boating accident data collection, its related forms, and the provisions proposed in the manual are all intrinsically linked. In the future, the Coast Guard may wish to consider how it can reset the renewal process such that there can be an alignment of the review of the collection, forms, and associated policies and procedures.

As such, although we appreciate the opportunity to comment on such proposals, we believe that any suggestions the association might put forward at this time, *in response to this current docket*—regarding either the BAR collection itself or the Coast Guard's BAR forms 3865 and 3865SP—would not be particularly useful and might even be rendered obsolete by the time a Federal Register Notice regarding BAR form changes is issued.

Thank you for your consideration of this submission.

Sincerely,

A handwritten signature in black ink that reads "Darren P. Rider". The signature is written in a cursive, flowing style.

Darren P. Rider  
President