

APPENDIX: ERAC-2016-A2(c)

NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATORS

RESOLUTION 2016-1

**In support of the advancement of the U.S. Coast Guard's
recreational boating accident reporting system regulatory project**

WHEREAS, the Federal Boat Safety Act of 1971 calls for “the States to assume the greater share of boating safety education, assistance, and enforcement activities;” and,

WHEREAS, according to 46 U.S. Code § 13109, the Secretary of the Department of Homeland Security is directed to “ensure the fullest cooperation between the State and United States Government authorities in promoting boating safety by making agreements and other arrangements with States when possible”; and,

WHEREAS, recreational boating accident reports are gathered, reviewed, and submitted by the states and territories to the U.S. Coast Guard for use in national recreational boating safety (RBS) analyses and inclusion in the annual, national Recreational Boating Statistics; and,

WHEREAS, the accident report data are fundamental not only for meeting the federal statistical mandates, but also for analyses that affect the understanding of national boating safety issues, shape national RBS program goals and policies, inform allocations of resources, and lead to consideration of vessel and equipment design and construction standards; and,

WHEREAS, many of the U.S. Coast Guard's National RBS Strategic Plan and recreational boating safety program goals and measures are directly linked to boating accident data gathered and submitted by the states and territories; and,

WHEREAS, a significant amount of effort has been expended over the last decade by the individual states and territories, the National Association of State Boating Law Administrators (NASBLA) on their behalf, and the National Boating Safety Advisory Council (NBSAC), among others, to make reasonable and appropriate recommendations to the U.S. Coast Guard toward improving the national recreational boating accident reporting system; and

WHEREAS, following years of discussion regarding significant concerns relative to the accident reporting system, regulations, policies and processes, and as a direct result of NBSAC Action Item 2008-81-01, the U.S. Coast Guard established an Accident Reporting Task Force to collect and categorize potential regulatory changes to the reporting system; and

WHEREAS, in 2009, the Task Force drafted 15 recommendations for regulatory and policy changes that were accepted by NBSAC and forwarded to the U.S. Coast Guard for consideration; and

WHEREAS, on Sept. 6, 2011, to further inform its decision process on the nature and scope of such revisions to the reporting system, the U.S. Coast Guard published the Recreational Vessel Accident Reporting Notice of Advisory Committee (NBSAC) Recommendations and Request for Comments to the Federal Register; and

WHEREAS, the solicitation resulted in comment submissions from over half of the states and territories, NASBLA, and other stakeholder groups, with the results described to the states' boating law administrators (BLAs) during a March 2012 session of the NASBLA BLA Workshop in Lexington, Ky.; and

WHEREAS, the results indicated general support for revisions to the national accident reporting system consistent with the NBSAC recommendations, sufficient to allow the U.S. Coast Guard to proceed with the initiation of rulemaking to revise the recreational boating accident requirements; and

WHEREAS, the states and other stakeholders were advised that the U.S. Coast Guard requested a rulemaking on June 26, 2012, and since then, have been awaiting the issuance of a Notice of Proposed Rulemaking to engage in public commenting on a concrete proposal that presents detail on the concepts outlined in the NBSAC recommendations; and

WHEREAS, in Resolution Number 2016-95-01, April 23, 2016, "Improved Boating Accident Reporting System," NBSAC reaffirmed its support for the 2009 recommendations and encouraged the U.S. Coast Guard "to both make diligent effort to address each of the Accident Reporting Task Force recommendations and to complete the accident reporting regulatory project as quickly as possible"; and

WHEREAS, NASBLA members had extensive involvement on the Task Force that forged the original NBSAC recommendations; and

WHEREAS, over the years, in the interest of uniformity, consistency, and clarity, NASBLA members have formally supported accident reporting tools and guidance developed by the association's policy committees and that are related in some measure to the implementation of several of the NBSAC recommendations; and

WHEREAS, the implementation of several of these efforts including, but not limited to, the Recreational Boating Accident and Casualty Reporting Decision Matrix endorsed by NASBLA members in 2006, and standardized terms and definitions for five major accident report categories developed through a consensus-based Accident

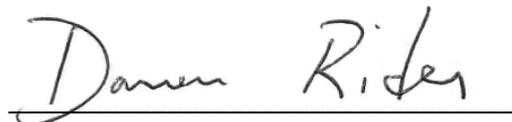
Reporting Terms & Definitions Project and accepted by members in 2012 and 2013, are integral to the consideration of regulatory revisions to the reporting system; and

WHEREAS, delays in the rulemaking process have affected not only the implementation of such products, but also the potential to address long-standing issues affecting the states and their partners in the accident reporting system and to codify their resolution.

NOW THEREFORE, BE IT RESOLVED, that the National Association of State Boating Law Administrators on July 27, 2016 does hereby support and strongly encourage the advancement of the accident reporting regulatory project that was initiated by the U.S. Coast Guard in June 2012.

BE IT FURTHER RESOLVED, that the association strongly encourages that the proposed rulemaking, at minimum, factor in the relevant recommendations put forward by NBSAC and the content of the significant work associated with accident reporting-related projects that have been conducted by NASBLA in close collaboration with the U.S. Coast Guard.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Admiral Paul F. Zukunft, Commandant, U.S. Coast Guard; Rear Admiral Paul F. Thomas, Assistant Commandant for Prevention Policy, U.S. Coast Guard; Captain Verne B. Gifford, Chief of Inspections and Compliance, U.S. Coast Guard; and Captain F. Thomas Boross, Chief, Auxiliary and Boating Safety, U.S. Coast Guard, for their consideration and appropriate action; and to Dr. L. Daniel Maxim, Chairman, National Boating Safety Advisory Council.

A handwritten signature in cursive script that reads "Darren Rider". The signature is written in black ink and is positioned above a horizontal line.

Darren Rider, President
July 27, 2016