

NASBLA/STATE BAR MANUAL TABLE of CONTENTS (revised DRAFT, 30217) **ERAC_IR&A-2017-1**

In General:

- The intent is not to develop a manual on “how to” perform an accident investigation (investigative procedures), but rather to provide the “why” (authority) as background to the state formulating policies and procedures on how to accomplish investigations.
- Primary emphasis should be on what is required (in regulation/statute)
- Focus should be on best practices, best ways to consistently capture and report the data.
- Basis for drafting content is largely available through existing resources, including ERAC products, Coast Guard’s COMDTINST 2015 draft, BAI Field Guide, etc.

Introduction:

- a. Acronyms & Abbreviations
- b. Purpose & Scope of Manual (including discussion of *why* this manual has been developed – remember, focus will be on best ways to capture and report the data)

Federal Reporting Authorities – Policy and Regulatory Provisions:

- a. 46 USC 6102
- b. 33 CFR 173 & 174

- Summarize accident reporting as required by federal law/regulation (note especially issues regarding establishing the authority (at state-level) to perform accident investigations when the specific authority in federal regulation is toward operator, not officer-based reporting)
- “Reportable” boating accidents (scenarios) within scope of National RBS Program; “Non-Reportable” boating accidents (scenarios) within scope of National RBS Program (may wish to consider adaptation of 2006 NASBLA Decision Matrix to help organize this section)
- List watercraft identified as “vessels” in CFR and as further determined by Coast Guard
- Insert any other descriptions/explanations that were included in the CG BAR manual draft and that were not questioned or tagged by the states in the 2015 review
- Identify provisions that were not adequately described (for practical application) in the CG BAR manual draft and as possible, develop a “best practice” for NASBLA membership consideration.

State Reporting Authorities (placeholder only)

- a. State level Regulations and Policy (placeholder)
- b. USCG/State Memorandum of Agreement (placeholder)
- c. Other State-Specific Forms/Documents (placeholder)

BARD (Boating Accident Report Database):

- What is BARD? How to “interact” with it (logging in, entering data)?
- Submission and rejection of reports (how to resolve, etc.)
- Media reports – taking action, etc.

---Start with section that appeared in the COMDTINST 2015 draft (BARD instruction manual) – review current content for additions, deletions, areas that need further clarification, etc.

Boating Accident Report Form (insert TN example as a best practices format for incorporation of the terms and definitions, etc.)

Best Practices—Collecting and Recording Report Data (existing products)

Examples of coverage:

Report Category Selections—Accident Types/Events, Contributing Factors/Causes, Operation, Activity, Vessel Types and Subtypes Terms and Definitions (accepted by NASBLA membership 2012-2013)

Alcohol and Drug Documentation

Electric Shock Drowning Documentation

Hull Design Factors / Other Vessel-Specific Characteristics

Narrative Writing

Human Performance/Factors Documentation

Other “reminders” and “best practices” for identifying/recording important pieces of investigative information (e.g., engine cut-off switch use)

Vessel Manufacturer Defect Reporting

---As a resource for states in how to check for reported defects or to report potential defects
---See specific guidance in the Field Guide re notification to the Coast Guard, plus sections already included in COMDTINST 2015 draft