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CG-BSX
Policy Letter 22-xx
[DATE]

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COMDT (CG-BSX)

To: Distribution

Subj: DRAFT //RECREATIONAL BOATING INCIDENT REPORTING // DRAFT

Ref: (a) 33 CFR Part 173 subpart C — Casualty and Accident Reporting
(b) 33 CFR part 174 subpart C – Casualty Reporting System Requirements
(c) 33 CFR part 174 subpart D – State Reports
(d) 2020 Recreational Boating Statistics, COMDTPUB 16754.34 (series)

1. Purpose. This policy provides guidance on the reporting requirements in references (a) through (c) to avoid unnecessary reporting. By explaining the way the Coast Guard uses the reports, and the terms used in the reporting regulations, this policy clarifies the information that reporting authorities should gather and forward to the Coast Guard.
2. Background. Reference (a), specifically 33 CFR § 173.55(a)(1)-(4), requires operators of recreational vessels to submit a report to the reporting authority, which is a state listed in 33 CFR part 173, Appendix A, or the Coast Guard if no state is listed. Reference (a) requires a report under the following conditions:
 - a. A death;
 - b. An injury that requires medical treatment beyond first aid;
 - c. Damage to the vessel or other property that totals \$2,000 or more or results in the complete loss of a vessel;
 - d. The disappearance of a person under circumstances that indicate death or injury.

Note: Reference (a) also lists the required contents of the report. Reference (c) requires the state to forward reports to the Coast Guard, and reference (b) sets out requirements for a reporting system.

The Coast Guard uses the required reports to create the statistics in reference (d), which is posted on uscgboating.org. Reference (d) meets the requirement of 46 U.S.C. § 6102(b), which requires the Coast Guard to collect, analyze, and publish information about the reports it receives.

3. Action.

- a. Vessel operators and state reporting authorities must meet the applicable reporting requirements of references (a) through (c). This policy is not intended to contradict those requirements and does not replace them.
- b. If a State Reporting Authority has a question regarding this policy, please consult the State Program Coordinator (SPC) in [CG-BSX-21](#). An occurrence in paragraph 5.a requires reporting per reference (a) unless it is explicitly not required in paragraph 5.a or 5.b or unless the SPC agrees reporting is not required.

4. Terms Used in this Document. The following terms are defined for the purposes of this policy letter. Although many of these terms appear in reference (a), the definitions below are not intended for use in other contexts such as unrelated reporting requirements located outside of reference (a).

- a. **Beyond first aid.** Means any physical harm or hurt for which a person received treatment by a medical professional at a licensed medical facility. Observation without treatment, including EMS personnel who arrive on scene but do not transport the victim to a medical facility, is not treatment beyond first aid and is not considered an injury beyond first aid.
- b. **Capsizing.** The overturning of a vessel.
- c. **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, and hot water heaters), another vessel's exhaust, or the exhaust of the vessel on which persons were either aboard or in close proximity.
- d. **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. This includes a vessel striking another vessel moored to a dock, pier, or similar structure; and a vessel striking timber or stumps.
- e. **Collision with floating object.** The striking of a floating object other than a vessel, above or below the surface of the water, which is not fixed or held in place by any means (e.g., barrels, logs, or other debris).
- f. **Collision with vessel.** A striking together of two or more vessels, including colliding with the tow of another vessel, and colliding with an anchored vessel or with a vessel secured to a mooring buoy, while excepting a towed watersport participant. This does not include a vessel striking a vessel moored to a dock, pier, or similar structure (see collision with fixed object (allision)).
- g. **Complete vessel loss.** When the vessel is known or presumed to have been destroyed, is presumed to have sunk in an unknown location, has sunk in a known location but will not

be recovered, or is a total constructive loss (i.e., so severely damaged it is not worth repairing).

- h. **Damage to the vessel or other property.** The damage threshold that requires reporting per ref (a) excludes the value of personal property on the vessel and includes damage to the structural, mechanical, and electronic components of the vessel and its associated equipment, and the material cost of restoring boating infrastructure. The data collection on damages should not include the cost to repair (i.e., does not include labor) the recreational vessel(s) involved. The data collection should include damage to shore structures or other infrastructure.
- i. **Electrical shock.** When a person makes contact with electrical current from a vessel or its equipment. This includes system failure and stray current. It does not include lightning (see natural phenomena).
- j. **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.
- k. **Fire/Explosion (fuel).**
 - (1) **Fire/Explosion (Engine (propulsion) or generator related).** Accidental burning or explosion of vessel due to combustion of vessel fuels or their vapors used for electrical generation or propulsion.
 - (2) **Fire/Explosion (Not engine (propulsion) or generator related).** Accidental burning or explosion of vessel due to combustion of fuels or their vapors not used for electrical generation or propulsion.
- l. **Fire/Explosion (non-fuel).** Accidental burning or explosion of any material onboard a vessel except vessel fuels or their vapors.
- m. **Fire/Explosion (unknown origin).** Accidental burning or explosion of any material onboard a vessel where the cause of the fire/explosion is unknown.
- n. **Grounding.** Running aground of a vessel, including the striking or pounding on rocks, reefs, shoals, or the bottom of the body of water; includes stranded vessels.
- o. **Incident.** An occurrence deemed to meet the reporting requirements of ref (a) per this policy.
- p. **Involves.** As used in 33 CFR 173.55, means would have occurred but for the vessel or its equipment.
- q. **Natural phenomena.** Death, injury, or property damage resulting from an interaction with things such as lightning, being struck or bitten by a fish, or falling debris from a cliff.

- r. **Person departs vessel voluntarily.** A person, acting of their own free will, entering the water from a vessel, resulting in the person's injury or death.
 - s. **Person ejected from a 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.
 - t. **Person falls overboard.** A person involuntarily falls off a vessel.
 - u. **Person impacts vessel.** A person slips, trips, falls, or strikes a surface on or in a vessel.
 - v. **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.
 - w. **Person Struck by Vessel.** A person who is located inside or outside of a vessel is struck by a vessel.
 - x. **Private Waters.** Privately held waters not subject to the jurisdiction of the United States.
 - y. **Properly docked or moored.** A vessel secured to a fixed structure, such as a dock, pier, or wharf, or to a buoy or other floating object (excluding another vessel or a floating dock).
 - z. **Public Vessel.** As defined in 46 U.S.C. § 2101(33), means a vessel that is owned, or demise chartered, and operated by the United States Government or a government of a foreign country; and is not engaged in commercial service.
 - aa. **Operate.** As defined in 33 CFR 173.3, means use, navigate, or employ.
 - bb. **Sinking.** After swamping, flooding, or capsizing, the vessel loses enough buoyancy to submerge mostly below the surface of the water.
 - cc. **Swamping.** Ingress of water over the top of the gunwale, transom, or decking of the vessel, where the vessel retains sufficient buoyancy to remain on the surface of the water.
 - dd. **Towed watersport mishap.** A watersport incident associated with vessel passenger(s) or person(s) being towed or surfing the wake created by the vessel, including but not limited to persons falling or ejected during their activity; being struck by or entangled in the activity equipment; or running into a person, object or vessel.
5. Coast Guard Use of the Reports. The purpose of the reporting requirements in references (a) through (c) is to document and help prevent vessel accidents. Reference (d) is focused on the safe operation of vessels. Therefore, there is no need to report incidents to the Coast Guard that are unrelated to the vessel or its operation. To avoid unnecessary reporting, this policy letter explains which occurrences must be reported and whether they will be included or excluded from the statistics in reference (d).

- a. **Reportable and included in reference (d):** The Coast Guard anticipates that the following occurrences will always or nearly always meet the reporting requirements in reference (a). If they meet the parameters of reference (a), they must be reported and, if reported, they will be included in reference (d).
- (1) Capsizing.
 - (2) Carbon monoxide exposure.
 - (3) Collision with a fixed object.
 - (4) Collision with a floating object.
 - (5) Collision with vessel.
 - (6) Electrical shock.
 - (7) Fire or explosion, when:
 - (a) the vessel is underway; or
 - (b) at anchor; or
 - (c) is moored or docked and involved in fueling or starting, or when attributed to the vessel's equipment or electrical components.
 - (8) Flooding.
 - (9) Grounding.
 - (10) Natural phenomena, unless involving a properly moored or docked vessel when no other event occurred and when no other federal regulatory reporting threshold was met.
 - (11) Person departs vessel voluntarily, when:
 - (a) the vessel is underway; or
 - (b) the vessel was recently anchored for immediate repairs (e.g., unfouling an anchor or cleaning an intake).
 - (12) Person ejected from vessel, unless from a properly moored or docked vessel.
 - (13) Person falls overboard, unless from a properly moored or docked vessel.
 - (14) Person impacts vessel, unless from a properly moored or docked vessel.
 - (15) Person struck by propeller/propulsion unit/water jet.
 - (16) Person struck by vessel.

- (17) Sinking.
- (18) Swamping.
- (19) Towed watersport mishap.
- (20) Occurrences where the vessel operation, construction, seaworthiness, machinery, equipment, and loading or environmental forces were involved.

b. **Not reportable and excluded from reference (d).** The following occurrences are either not within the scope of the requirements in reference (a) or not germane to the statistics in reference (d). They typically do not require reporting under reference (a) and, if reported, will be excluded from reference (d):

- (1) All those on private waters.
- (2) Self-inflicted injuries, including wounds and ingestion of controlled substances or poison.
- (3) Assaults.
- (4) A person voluntarily departs shore or other non-vessel place of inherent safety to swim to a vessel.
- (5) Medical emergencies unrelated to the vessel or its equipment and involving no other vessel. A medical emergency does not refer to physical impairments such as poor eyesight, hearing, or mobility.
- (6) Those involving a properly docked or moored vessel and attributed to a lack of or improper maintenance.
- (7) Launching and recovery occurrences, including when the vessel is not on the water and capable of use or not free from the launching apparatus.
- (8) When the vehicle used for trailering fails.
- (9) When a docked or moored vessel gets underway during storms or unusual tidal or sea conditions, including when to effect a rescue, that do not include any of the reporting requirements in reference (a). However, recreational vessels already underway that engage in Good Samaritan acts are required and included for reporting and statistical purposes, respectively.
- (10) Those involving non-vessels, including 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, non-propelled residential platforms, snowmobile, seaplane and/or any other non-vessels. (Note: A vessel is defined by 1 U.S.C. § 3. If it is unclear whether a watercraft involved is a vessel, please consult your State Program Coordinator (SPC) in CG-BSX-21).

- (11) Those meeting vessel-use exceptions, including non-propelled residential platforms; vessels used for solely governmental or criminal activities; and vessels engaged in sanctioned-activity events that are not numbered and are used exclusively for racing. (Vessels engaged in sanctioned-activity events, if they are numbered and not used exclusively for racing, are required and included for reporting and statistical purposes, respectively.)
- (12) Those that occur 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.
- c. **Reportable but excluded from reference (d).** The following occurrences require reporting if they meet reference (a) but are not included for statistical purposes in ref (d):
- (1) When the vessel is foreign flagged and temporarily using waters subject to U.S. jurisdiction, unless another U.S.-flagged vessel is involved.
7. Disclaimer. This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. The guidance is not intended to nor does it impose legally-binding requirements on any party. This guidance represents the Coast Guard's current thinking on this topic and may assist States, the general public, and the Coast Guard, in applying statutory and regulatory requirements.
8. Questions. Questions from the public concerning incident reporting should be directed to Commandant (CG-BSX-2), Boating Safety Division, at RBSInfo@uscg.mil.

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Dist: U.S. State, Territory and the District of Columbia Boating Law Administrators
USCG Coast Guard District Prevention Divisions