

ERAC Triage Team Teleconference Outcomes, Jan. 23, 2015

3:00 p.m.-4:30 p.m. EST

<https://nasbla.basecampHQ.com/projects/5486330/files> (Audio file download)

<http://cc.readytalk.com/play?id=b9mkke> (Playback URL)

Original proposals are presented in the APPENDIX

ATTENDEES¹ (all or portion of call)

ERAC Triage Team members: Tammy Terry (ERAC Chair); Glenn Moates (ERAC Vice Chair); Cody Jones (NASBLA Executive Board Liaison to ERAC); Eric Lundin (ERAC at-large member); Dan Maxim (ERAC at-large member)

Proposal submitters (or designees): Richard Moore (Florida BLA); Joe McCullough (ERAC member, in for Jeff Johnson, Alaska BLA); Pete Chisholm (ERAC member; Mercury Marine); Dick Snyder (ERAC member; Mercury Marine, ret.; team issues resource)

Other NASBLA policy committee leadership: Matt Majors (NASBLA Enforcement & Training Chair)

Other ERAC members: Larry Bowling; Rachel Graham; Gary Haupt; Penny Kanable; Fred Messmann; Johanna Naughton; Amy Rigby; Kris Wahlers; Susan Weber. **ERAC staff:** Deb Gona

Introductory remarks: Tammy Terry welcomed all to the first Triage Team teleconference. She reminded that that purpose of the call was to vet seven new issues and topics submitted to ERAC since the NASBLA annual conference in October [2014]² and determine appropriate courses of action for them. Tammy said that could mean redirecting committee resources to address an issue in some manner in the current year; deliberate postponement of consideration to a later date; a decision to give an issue no further consideration; or some other course, including passing it along to another NASBLA policy committee or external body for their possible consideration.

Before reminding the team and other attendees about the procedure that would be used by the team to arrive at decisions about the submissions,³ Tammy noted that this call was just a beginning. The team will meet at least quarterly, and ERAC will be actively seeking new and emerging issues through various forums, including the NASBLA Lighthouse.

Order of proposal consideration: The first four submissions presented in the summary document distributed in advance of the call all dealt with engineering/equipment-related issues and were taken up first on the call; the final three were officer/investigator-related. The **OUTCOMES** of the team's discussions are presented on pages 2-4 of this document.

¹ Based on roll call of team and submitters, and then on other attendees' self-identification on the call.

² These are in addition to the standing and carryover charges already included in the committee's 2015 charge list approved by the NASBLA Executive Board in December 2014.

³ Discussion of each submission would begin with a brief overview of its content, followed by an invitation for additional verbal input from the submitters (or designees) beyond what was addressed in writing, review and discussion by the team of five areas outlined in ERAC procedure v01092015 (pp. 3-6), an invitation for other input from other call attendees, and finally, a team decision on the status of the submission. Time would not be spent on the call "wordsmithing" charge language in the event of the team's decision to recommend a topic for ERAC charge work.

OUTCOMES (see APPENDIX for full descriptions of proposals)

1) Active monitoring of NBSAC Boats & Associated Equipment Subcommittee.

Additional clarification from submitter's designee: None deemed necessary by Joe McCullough; see Appendix, page 1, for full description and rationale.

Team Recommendation: The team concurred that there is merit to ERAC formally considering more engineering/equipment related issues as they relate to accidents and accident reporting (much as had been done in earlier years). However, the team recommended that the initial charge to ERAC this year be exploratory in nature—that is, to begin by increasing the effort toward monitoring issues taken up by NBSAC's Boats & Associated Equipment Subcommittee [beyond what is currently done as part of ERAC's charter] and, simultaneously, gathering more information from the states about key issues they identify as critical in these areas. The structure within which such issues would be taken up by ERAC in the future would not be determined until the next cycle (e.g., creation of a formal ERAC subcommittee dedicated to these issues? an assembly of charges and charge teams similar to how ERAC has been organizing its other work in more recent years? or some other method?)

See also the recommendations on proposals 2 through 4 as they relate to this broader activity.

2) SmartCraft® technology/impact of electronic theft protection.

Additional clarification from submitter: Pete Chisholm described that this proposal is the result of a set of questions that have come up as to what kind of impact this technology is having out in the field. He said that he does not see it as a standalone charge, but perhaps as part of a larger data analysis in combination with the lanyard issues (also proposed in this round)—i.e., what kinds of human factors' effects are these features having?

Team Recommendation: The team concurred that there is merit (though not an urgency) to the request. However, there is a lack of data currently in hand to determine the scope and feasibility of such a project; moreover, the vessel theft-related issues would seem to fall more within the interests of NASBLA's Enforcement & Training Committee. As a result, the team recommended 1) that the availability of relevant data first be explored by ERAC with IAMI (via Eric Lundin) and potentially, with industry; and 2) that such data, if available, be shared by ERAC with the Enforcement & Training Committee should the latter committee have an interest in picking up the topic in the future.

3) Lanyard issues

Additional clarification from submitter: Dick Snyder described that the goal is to get all boaters who have lanyards on their vessels to use them, and that perhaps law enforcement using them could set the example.

Team Recommendation: The team concurred that there is merit (though not an urgency) to the request. As such, the team recommended that lanyards and lanyard use issues be held for further consideration as part of the exploration of engineering and equipment related issues that will be taken up as described in #1 above.

4) Level flotation as factor in recreational boating accidents/basic flotation issues especially re paddlecraft.

Additional clarification from submitter: Dick Snyder clarified that his proposed emphasis was really on the “basic flotation” issues (and less on “level flotation”) as they apply particularly to canoes and kayaks. He noted that PWIA had been quite successful with regard to similar issues associated with PWCs and he wondered if NASBLA/ERAC could similarly get involved regarding paddlecraft.

Team Recommendation: The team concurred that there is merit to the request and with the specific focus (at least to start) on canoes and kayaks. As such, the team recommended that ERAC 1) initiate background research and data collection to determine the extent of the issue (and even whether relevant data are being recorded); 2) reach out to ACA and other related groups to get their perspectives and determine if they’ve done any work in the area; and 3) roll this background work into the exploration of engineering and equipment related issues that will be taken up as described in the team recommendations for #1 above.

5) Training module-Documenting Alcohol/Drug Involvement

Additional clarification from submitter: Richard Moore said that even in his state (where he believes they are progressive in ensuring their officers are well trained and prepared), officers would give varying answers if asked about the standard that should be used for checking off alcohol involvement in an accident. He said there needs to be uniformity in the capture of this information, and that the standard could be delivered via a short training video that would be available for ongoing reference by officers. In response to a question from the team, he clarified that this refers to the check-off of alcohol involvement, separate from alcohol as a causative/contributing factor, but that the accuracy of both matters. Richard further clarified that although he mentioned grant funding, he did not see it as a necessity if the product could move forward at no cost to users.

Team Recommendations: The team concurred there is a need to address the issue, but to do so in two parts and involve ERAC in coordination with the Enforcement & Training Committee. The first recommendation is that ERAC initiate the project this year from the accident reporting side with a focus on the content—i.e., determine if there is a better, more consistent way to gather/capture the information on alcohol involvement (through improved questions, etc.). The second recommendation is that ERAC work with/pass the content on to Enforcement & Training to handle the formatting/delivery to the law enforcement community (in what would likely be the second year of the project). If the Coast Guard subsequently issues any related policy or rulemaking guidance affecting this area, then the content would be updated accordingly.

6) Training module-Accident Report Narratives

Additional clarification from submitter: Richard Moore described that this is an ongoing issue, with wide variation in how narratives are written and what they do and do not contain. He said that while his state could develop something, it would be preferable and more effective for the committee to take on such a project, find out the national issues associated with report narratives, develop the content, and provide the result to the BLAs to push it out to their personnel. Again, similar to the prior proposal, he suggests a no-cost-to-the-user method for delivering the product.

Team Recommendations: The team concurred that there is merit to the request. State members agreed that the varying quality of narratives is an issue in their jurisdictions too, and that it has been an issue identified by the Coast Guard in its review of reports. Associate members on the team further noted the value of good

narratives to the study of human factors and to industry analyses. As such, the team recommended that ERAC pursue the development of the content this year, building off of examples and quasi-narratives already included in the accident reporting terms and definitions reference modules. In developing the project, the committee would work to figure out the most effective delivery method and whether—like the prior topic—it would require the same level of collaboration with the Enforcement & Training Committee. In making this recommendation, the team cautioned that the delivery of information and training on writing quality narratives has to reach not only officers, but also mid-level supervisors/report reviewers.

7) DUI/BUI history analysis.

Additional clarification from submitter: Richard Moore said that if there were a way to quantify relationship(s) between the DUI/BUI violators in a few more states (as was done for Florida in the media story linked in the original proposal) then it might add to the ODW messaging for 2015. He suggested that perhaps a subset of states represented on ERAC could look at their DUI/BUI arrests and determine whether there is a legitimate / quantifiable problem that might be newsworthy.

Team Recommendations: The team concurred that there is merit to this request and to related issues raised by others on the call (e.g., marijuana, other drug use, etc.). However, the discussion led the team to the following: first, that the proposal would be better suited to consideration by the Enforcement & Training Committee since it already has related charges (ODW and annual refreshing of the related materials, and another BUI-related project); and second, that Enforcement & Training might have the resources to more readily get to the records necessary to do the match-ups. [Upon hearing the discussion, Richard ultimately concurred that this proposal probably should have been directed to Enforcement at the outset.] The team will pass the information to Enforcement for its consideration and disposition. Tammy reminded Enforcement Chair Matt Majors of the ongoing offer from ERAC to assist in analyses as might be needed, whether on this project (if his committee does something with it) or others.