



**National Association of  
State Boating Law Administrators**

**Engineering, Reporting & Analysis Committee  
(ERAC)**

**Committee Report for 2020-2021 Cycle  
and Preliminary 2021-2022 Cycle Recommendations**

**v1 Aug. 18, 2021**

## ENGINEERING, REPORTING & ANALYSIS COMMITTEE (ERAC)

### 2020-2021 Committee Report (V.1) and Preliminary 2021-2022 Charge Recommendations

**Chair:** Seth Wagner, Florida, [seth.wagner@MyFWC.com](mailto:seth.wagner@MyFWC.com)

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Full committee roster is on the page 12 of this report

#### CHARTER IN SUPPORT OF NASBLA'S MISSION AND SERVICE TO THE MEMBERSHIP:

As one of NASBLA's standing policy committees, ERAC identifies, evaluates, and analyzes recreational boating data and other related information that can shed light on factors associated with boating incidents; be used to inform the development of state- and national-level boating safety policies, programs and campaigns; and, ultimately, be used to measure their effectiveness.

To ensure that the results of the research and analyses are valid and reliable, ERAC also actively seeks ways to advance the quality, relevance, accuracy, consistency, applicability, and completeness of the data and information.

#### IN PRACTICE, ERAC:

- **Takes on targeted research questions.** ERAC teams review and evaluate report data and other boating-related statistics to identify risk factors, patterns and trends in boating incidents;
- **Partners for data improvement.** Works in partnership with the States, the U.S. Coast Guard, and other key agencies and organizations in the recreational boating community to improve the criteria, processes, and training associated with reporting, collecting, entering and using incident data;
- **Promotes uniformity.** On behalf of the States, and in the interest of uniformity and shared understanding, collaborates with the U.S. Coast Guard to clarify reporting criteria and procedures;
- **Seeks to mitigate risk factors.** Identifies and examines boating safety programs, equipment design, and related efforts that could mitigate risk factors identified through the committee's analyses;
- **Stays informed.** Monitors the activities of and receives reports from subcommittees and panels of NBSAC, ABYC, and NMMA among others, to identify and inform about issues of mutual interest; and
- **Works across committees.** Also interacts with other NASBLA committees and panels and stays informed about projects of mutual interest—not only to add value to ERAC products, but also to determine how ERAC can effectively serve as a resource to them.

## ABOUT THIS REPORT

### REVIEW OF ASSIGNED CHARGES AND OTHER ACTIVITIES (pages 4-11)

Unlike some of the other NASBLA policy committees, ERAC does not operate with subcommittees. However, its charge work and related committee activities are grouped into five categories:

- **Monitoring & Evaluation (Ongoing Committee Function):** Monitoring, evaluating, collaborating or taking other action as needed on policy proposals, rulemaking, issues, and projects in areas covered by the committee.
- **Investigation, Reporting & Analysis:** Conducting work to improve the criteria, processes, and training associated with reporting, collecting, entering, and using recreational boating incident data.
- **Knowledge & Content Management:** Developing, maintaining, and delivering ERAC's products in alignment with NASBLA's knowledge, content, and learning management systems.
- **RBS Statistics & Research:** Identifying and working to improve incident and other boating statistics for the purpose of identifying risk factors, patterns, and trends.
- **Engineering & Equipment:** Identifying and examining engineering issues, equipment design, and related efforts that could mitigate risk factors identified through the committee's activities.

At the beginning of the 2020-2021 committee cycle, **ERAC** was assigned five charges, two of them associated with the recreational boating incident reporting policy project that has been conducted in collaboration with the states and U.S. Coast Guard since November 2017. The original charges and ongoing assignments were published in the [ERAC 2020-2021 Initial Approved Charges](#).

For each 2021 committee activity, as applicable, this report describes its importance; the deliverable(s); status; measure(s) of effectiveness (if already established); and a preliminary recommendation for continuation in some form or omission in the next committee cycle.

### CONDUCTING THE WORK

ERAC's 2020-2021 work officially kicked off in a full committee teleconference on Dec. 17, 2020, with 19 members and project partners attending. Refer to **APPENDIX A** for a recap of this event. The bulk of the work in follow up during 2021 was conducted through teleconferences and online forums such as Basecamp for internal project management. The last in-person session of the full committee was conducted on Feb. 28, 2020; no in-person meeting was conducted in spring 2021 due to the COVID-19 pandemic and associated public health and agency restrictions. However, an abbreviated, hybrid in-person/virtual session is scheduled to be conducted the afternoon of Sept. 26 as part of the NASBLA Annual Conference in Pittsburgh, PA. A recap of that session will be appended to v.2 of this report, which will be published October 2021.

In 2021, ERAC's work—like that of other NASBLA policy committees since 2020—continued to be severely impacted by the professional and personal disruptions and distractions associated with the pandemic. This cycle, the impact was different from, but no less disruptive than in 2020 for committee volunteers. The governmental, non-profit, and industry components of the recreational boating community experienced workload shifts and increases, and in many cases, uncertainties associated with the transitioning work-from-home back to the office setting.

### REPORT APPENDIX

This report includes live links to online references and documents and also has the following:

#### **APPENDIX A 2020-2021 Full Committee Teleconference Recap (Dec. 17, 2020)**

A second version of this report (to be published October 2021) will have additional appendices for events scheduled to be conducted in late August and September as part of the close out of the 2021 committee cycle.

## MONITORING & EVALUATION—Ongoing Committee Function

Monitoring, evaluating, collaborating or taking other action as needed on policy proposals, rulemaking, issues, and projects in areas covered by the committee

Until 2020, the following activity was conducted as a standing committee charge; it has since been reclassified as an ongoing committee function and was conducted as such in 2021. In 2016, the “Triage,” described below, was similarly reclassified as a committee function.

**Monitoring and giving input to USCG policy / regulatory proposals and actions:** ERAC will continue to monitor, research as needed, and provide feedback to U.S. Coast Guard policy initiatives and regulatory proposals in areas related to the committee’s charter, whether published in the Federal Register or issued through other official mechanisms. The committee will inform the states and encourage them to provide feedback, and will coordinate NASBLA’s organizational responses to such proposals using the NASBLA website and NASBLA Connect discussion forums to provide resources and promote open discussion among the states. (NASBLA Goals 4 and 5) (RBS Initiative 2, CoA, milestone 13)

- ✓ **Why it’s important:** Agency notices, proposed rules, final rules and other formal and informal policy guidance issued by the U.S. Coast Guard can significantly impact recreational boating and RBS programs in the states. In recent years, ERAC has taken a lead in monitoring, analyzing, [chronicling proposed policy and regulatory actions](#), and communicating with NASBLA members about their significance to the states and other RBS stakeholders and about the importance of weighing in, especially through formal comment submission processes that require the Coast Guard to publicly respond to the feedback it receives.
- ✓ **Status:** During the 2017-2020 period, ERAC’s primary focus was on providing and soliciting direct input to the recreational boating incident reporting project in partnership with the Coast Guard and the states. However, in the transition to the 2020-2021 cycle, ERAC staff continued to monitor the Federal Register and in July 2021 alerted, informed, and drafted a summary statement for release to the states regarding the Coast Guard’s intent to submit an Information Collection Request to OMB on the [State Registration Data form/collection \(CG-3923\)](#).

**Issues and trends monitoring and disposition:** The Triage is a committee procedure intended for the year-round capture and timely disposition of issues and topics that come to ERAC from internal and external sources. The [NASBLA ERAC Procedure v01092015](#) is used to assign the triage team, process the issues, and recommend an appropriate course of action—whether that be a request to the NASBLA Executive Board to approve a formal charge, a communication to the states on a matter of immediate concern, continued monitoring, or some other action (including “no” action in the near term). Per the established procedure, the team is to be comprised of the ERAC Chair, Vice Chair, Board Liaison, and two at-large Committee Members assigned at the beginning of each cycle.

- ✓ **Status:** During this cycle that was dominated by the pandemic, risky behaviors and other factors manifested in recreational boating, other recreational activities and motor vehicle statistics were monitored, but not formally taken up in the Triage.

## INVESTIGATION, REPORTING & ANALYSIS CHARGES

Conducting work to improve the criteria, processes, and training associated with reporting, collecting, entering, and using accident data.

### Complete phase one of USCG/STATES/NASBLA ERAC collaborative recreational boating incident reporting policy project [USCG/ERAC IR&A 2020-1A]

Complete all outstanding project work from first phase, including: advising commenters of workgroup's disposition of their suggested revisions and questions; refining—and distributing to the states—all consensus recommendations and supporting materials; conducting two national teleconferences; delivering final product to the NASBLA Executive Board for release to BLAs for vote of acceptance on product and a follow-up call for the states to petition the Coast Guard to initiate a regulatory project. (NASBLA Goal 5, Obj. 5.1, Strategy 5.1.5) (RBS Initiative 2, CoA 5, milestone 13; and Initiative 3)

- ✓ **Why it's important:** Updated, consistent, clear, published policy and procedures are critical to the states' ability to capture and report boating incident data to the Coast Guard and to the Coast Guard's ability to fulfill its statutory obligations to gather and report accurate and timely statistics on recreational boating incidents. The regulatory and policy recommendations that emerged from this consensus-based, national project are intended to create more certainties about reporting requirements, improve uniformity and consistency in collecting and processing incident data, and advance the RBS programmatic and policy interests of both the Coast Guard and the states.
- ✓ **Deliverables (previous committee cycle):** Accepted by vote of NASBLA Membership July 31, 2020 (using the process authorized under NASBLA Bylaw III, Section 8): [Consensus Recommendations to the U.S. Coast Guard \(June 2020\)](#) and the following that are part of the document by reference: [Recreational Boating Incident Report Decision Matrix](#); [Incident Report Data Elements Summary Chart](#); and [five incident report category lists of terms and definitions](#) (originally approved 2012-2013 and updated for this project). Also produced was a detailed supplement to the recommendations, a [Resource Document \(v. June 2020\): Background on the Project and Consensus Recommendations to the U.S. Coast Guard](#).
- ✓ **Current Status:** The 2020 charge, as written, was successfully completed. The consensus recommendations were developed, vetted, voted on and accepted by NASBLA membership—including all 50 states—in July 2020, and formally delivered to Coast Guard leadership in the Office of Auxiliary & Boating Safety immediately thereafter for the purpose of informing their internal development of regulatory and policy provisions. As such, the 2020 charge was not “carried over” to 2021 in the traditional sense; the expectation was that the Coast Guard would issue a formal response to the consensus product and charges IR&A 2021-1 and -2 would be the logical successors to carry the work forward in the new cycle. That formal response has yet to be issued, although elements of the Coast Guard response will be discussed with NASBLA members during two information sharing/refresher webinars to be conducted before the NASBLA annual conference and then again during a conference presentation in Pittsburgh, PA.
- ✓ **Measures of effectiveness:** Short term: Consensus achieved among workgroup members; the full committee, Coast Guard and NASBLA leadership; and the full NASBLA state membership regarding policy and regulatory recommendations. Long-term: More consistent, accurate, and viable incident report data gathered for use by the states and submitted by the states to the U.S. Coast Guard.

- ✓ **Recommendation for 2021-2022 cycle:** **Reinstate this 2020 phase one charge with modifications as needed for 2022.** ERAC leadership and staff are participating in developing the content for the sessions described under **Current Status**. Further, the committee – in coordination with the project workgroup members who are not already on ERAC -- can play a valuable and valid role in assisting and advising the NASBLA Executive Board as it identifies and executes next steps associated with this product. As such, this charge should be reinstated -- with appropriate modifications based on the status/outcomes of the Coast Guard response -- to ensure that it remains on the “front burner.”

### **Best Practices Development in Phase two of USCG/States/NASBLA ERAC recreational boating incident reporting policy project [ERAC IR&A 2021-1]:**

In accordance with and as applicable to the project’s consensus recommendations to the U.S. Coast Guard (reference **USCG/ERAC IR&A 2020-1A**), develop the “best practices” and other guidance necessary to effectively implement them. As a starting point, review the [Best Practices list presented and triaged](#) at the Feb. 28, 2020 ERAC meeting. In coordination with the Coast Guard, initiate work on the highest priority components/items. In developing the content of the guidance, ensure close coordination with the charge team activities described in **ERAC K&CM 2021-1** and determine the best format(s) for delivering this information to the audiences of potential users (officers/investigators; incident report reviewers; data entry personnel; etc.). (NASBLA Goal 5, Obj. 5.1, Strategy 5.1.5) (RBS Initiative 2, CoA 5, milestone 13; and Initiative 3)

- ✓ **Why it’s important:** Updated, consistent, clear, published policy and procedures are critical to the states’ ability to capture and report boating incident data to the Coast Guard and to the Coast Guard’s ability to fulfill its statutory obligations to gather and report accurate and timely statistics on recreational boating incidents. The regulatory and policy recommendations that emerged from this consensus-based, national project are intended to create more certainties about reporting requirements, improve uniformity and consistency in collecting and processing incident data, and advance the RBS programmatic and policy interests of both the states and the Coast Guard.
- ✓ **Deliverables:** None during this cycle. See **Status** for detail.
- ✓ **Status:** In spite of the delays in and uncertainties associated with the Coast Guard’s response to the incident reporting project recommendations, the team assigned to this charge [conducted three \(3\) teleconferences and commenced work on nine \(9\) of the components/items in the recommendations](#) that had been tagged as needing an accompanying “best practice” or further guidance for effective, future implementation. Those items were selected because they would be of benefit to the states regardless of Coast Guard action regarding the current project recommendations.
- ✓ **Measures of effectiveness:** Pending approval of the recommendation below, the committee will establish appropriate measures for board review.
- ✓ **Recommendation for 2021-2022 cycle:** **Carry over this charge, but with modifications to the scope of work for 2022.** This activity should continue in the new cycle, but the scope of work on this charge should not be finalized until the Executive Board, NASBLA membership, and this committee have a

clearer picture of what the Coast Guard intends to do regarding the implementation of key elements of the recommendations (e.g., the reporting decision matrix).

**Coordinate NASBLA ERAC/State participation in the Reporting System Design component of Phase Two of the USCG/STATES/NASBLA ERAC recreational boating incident reporting policy project (ERAC IR&A 2021-2)**

Collaborate with the project stakeholders in setting the expectations and functionalities of a reporting system that will replace the current Boating Accident Report Database (BARD) and be responsive to the project's consensus recommendations to the U.S. Coast Guard. (NASBLA Goal 5, Obj. 5.1, Strategy 5.1.5) (RBS Initiative 2, CoA 5, milestone 13; and Initiative 3). 13; and Initiative 3)

- ✓ **Why it's important:** Updated, consistent, clear, published policy and procedures are critical to the states' ability to capture and report boating incident data to the Coast Guard and to the Coast Guard's ability to fulfill its statutory obligations to gather and report accurate and timely statistics on recreational boating incidents. The regulatory and policy recommendations that emerged from this consensus-based, national project are intended to create more certainties about reporting requirements, improve uniformity and consistency in collecting and processing incident data, and advance the RBS programmatic and policy interests of both the states and the Coast Guard.
- ✓ **Deliverables:** None during this cycle. See **Status** for detail.
- ✓ **Status:** At the February 28, 2020 committee meeting, five ERAC and other NASBLA members in attendance volunteered for service on the "phase two" group that would work on this charge. Further, CG-BSX leadership indicated they had involved other Coast Guard IT units in the advance planning process to assure capability in its internal development and that all necessary requirements would be met. However, the phase two workgroup has yet to be formally installed and it is clear from recent discussions with the CG-BSX leadership that the revamp/overhaul of the BARD system may be in question, at least for foreseeable future.
- ✓ **Measures of effectiveness:** Pending approval of the recommendation below and initiation of the activities, the committee will establish appropriate measures for board review.
- ✓ **Recommendation for 2021-2022 cycle:** **Carry over this charge, but with modification to the scope of work for 2022.** The revamp of the BARD system is necessary whether or not the Coast Guard responds in the affirmative to the incident reporting project recommendations. In light of that, the NASBLA Executive Board will likely wish to consider alternatives to the BARD status quo and ERAC, with the other volunteers for the "phase two" workgroup, would need to be part of any information gathering/fact finding effort. The final charge language should be developed on that basis to ensure that it also remains on a "front burner." [Of note: there is some urgency to this as the Coast Guard's BAR form / data collection will expire 07/31/2022.]

### Continue pilot program and refine best practices for collecting and evaluating human factors data (ERAC IR&A 2021-3)

Analyze the results of a pilot program involving states applying aspects of the [human performance investigation guidance](#) and [supplemental report form](#) (ERAC products v. 2016) to fatal incident investigations in their jurisdictions. Evaluate the collected data, resolve data collection issues, and refine the guidance and form as needed. Determine how best to apply the form for use by the current pilot and additional states. (NASBLA Goals 3 and 5, Obj. 5.1, Strategy 5.1.5) (RBS Initiatives 2 and 3).

- ✓ **Why it's important:** Getting to more conclusive evidence about the role of human performance errors in recreational boating accidents—and developing interventions—calls for consistently-collected data and information identifying the contributors **and** getting at why and how failures occurred. In 2012, ERAC began working to understand the factors that might be associated with performance failures; in 2014, a charge team developed and two years later refined guidance and a supplemental report form for use by officers and investigators in states that want to augment their investigations. As the public health approach to injury prevention has more recently been introduced to recreational boating safety program planning and initiatives at the national and state levels, and since 2020, as the COVID-19 pandemic has presented extraordinary challenges, the collection and analysis of information that gets at underlying characteristics and distinguishable patterns of boater behavior is even more critical.
- ✓ **Deliverables:** Most recent, [HFACS-Lite Applied to a Sample of Florida Recreational Boating Accident Cases](#) (authored by the late Dr. Dan Maxim, Aug. 5, 2017). No deliverables this current cycle.
- ✓ **Status:** While two states – Florida and Oregon -- had agreed to serve as pilots under the 2021 charge, and another had expressed possible interest, the primary activity associated with it, to date, has been with Florida. The ERAC Chair has been working to implement the collection and analysis of human factors data (especially regarding distractions) on fatalities in that state. However, as in 2020, the pandemic- and charge team members' agency workload-related issues have been obstacles to developing, demonstrating and finalizing the charge product in this cycle.
- ✓ **Measures of effectiveness:** Short-term: Human performance supplemental tool or portions thereof adopted by at least three additional test states. Long-range: More consistent, in-depth information on human performance, especially as to operator distractions, gathered in incident investigations.
- ✓ **Recommendation for the 2021-2022 cycle:** **Carry over this charge, but with modifications to the scope of work for 2022.** This activity is critical to further understanding the role of human behaviors in recreational boating incidents and should continue with the possible replication in additional states, depending on the success of the Florida experience.

## KNOWLEDGE & CONTENT MANAGEMENT

Developing, maintaining, and delivering ERAC's products in alignment with NASBLA's knowledge, content and learning management systems.

**Strategically enhance and evaluate the effectiveness of current NASBLA Lighthouse platform and its contents (in a larger context, seek to enhance access to and use of current and future committee products). (ERAC K&CM 2021-1)**

Evaluate the current "reach" of the NASBLA Lighthouse, over time and as compared to other NASBLA knowledge and learning tools, and evaluate the various online tools available through NASBLA for sharing existing and anticipated committee products, including the pros and cons of each option. Tasks should include: completion of an inventory of existing and anticipated committee products; consideration and completion of additional work on enhancing the user-friendliness of products through cheat sheets, webinars, how-to videos and other means; and, based on the charge team's work regarding available NASBLA tools, determination of the best channels by which to share or post products for wider use. Continue to evaluate the "reach" of materials under the new schema, including gathering feedback from users to better refine strategies moving forward. When complete, this activity can be reclassified as an ongoing committee function, possibly with a standing workgroup to facilitate additional marketing, distribution and housing of committee materials going forward. (NASBLA Goal 5) (RBS Initiative 2).

- ✓ **Why it's important:** [The Lighthouse](#) was envisioned by a 2010 ERAC charge team as an accessible, online forum where users and producers of recreational boating data could gather to share data and successful practices, forego "reinventing the wheel," and locate viable resources and information applicable to their work. The need for collaboration, contextual narrative, and timely sharing of information about complex boating safety issues has not waned; with increasingly constrained time and resources at all government levels and across all sectors, such value-added resources have even more merit. This activity is also responsive to data-related initiatives of the National RBS Program Strategic Plan for 2017-2021.
- ✓ **Deliverables:** Continuous updates to the webpages at <https://www.nasbla.org/lighthouse/nasbla-lighthouse>.
- ✓ **Status:** This charge was well underway in the transitional period between the 2020 and 2021 cycles, with an extensive inventory of existing, online committee products and resources produced for the team's evaluation. However, work on this charge also depended on the status/progress of other, higher-priority committee activities (e.g., the ERAC IR&A 2021-1 "best practices charge). Further, the pandemic and charge team members' agency workload-related issues also presented obstacles to charge progress. In the interim, to ensure that website visitors did not encounter outdated information, ERAC staff continued to maintain and, in some cases, significantly update both the Lighthouse and other committee-sponsored webpages.
- ✓ **Measures of effectiveness:** Will be developed once the committee considers the evaluation conducted by the charge team.

- ✓ **Recommendation for 2021-2022 cycle: Carry over this charge, with modifications as needed to the scope of work for 2022.** This charge – with modifications to reflect work already completed -- should be carried over into the new cycle and conducted in coordination with related ERAC charge work.

### **RBS STATISTICS & RESEARCH**

Identifying and working to improve accident and other boating statistics for the purpose of identifying risk factors, patterns, and trends

#### **Evaluate the results from the 2018 National Recreational Boating Safety Participation and Exposure Surveys (NRBSS) (ERAC S&R 2021-1)**

Review and assess the published findings, raw data, and methods associated with the 2018 version of the NRBSS, with a special focus on the Exposure Survey. Develop product(s) that can assist the states in practical application of the data to their RBS programs. Determine whether the data can be used to reinstate previous ERAC efforts, such as evaluating the use of exposure hours as the denominator for calculating fatality rates and assessing the impact of out-of-state boaters on a state's injury and fatality rates. (NASBLA Goal 5, Obj. 5.1 and 5.2; and Goal 2) (RBS Initiative 3).

- ✓ **Why it's important:** Beginning with the 2011-2012 surveys, ERAC has had an interest not only in the data and findings, but also the methods, scope, and survey instruments used in the national surveys. The primary reason was to be in a better position to more accurately and effectively interpret the 2012 survey findings for NASBLA's members, especially as they related to the generation of state-level exposure hours. Another was to use the knowledge about the workings of the survey to offer the Coast Guard constructive input both for analyzing the released survey data and toward the administration and design of future surveys. The expectation is that ERAC can draw upon its experience with the previous round to once again assist the states and offer constructive suggestions to the Coast Guard for future surveys in accordance with provisions in the MOU/Agreement between the Coast Guard and NASBLA (effective March 29, 2021 through Dec. 31, 2025).
- ✓ **Status:** This charge was off to a slow, uncertain start with the delay in the Coast Guard's release of the [two survey reports \(published December 2020\)](#), the transition in primary CG-BSX staff to the survey, and inability of either the charge team or CG-BSX to readily access the raw data files from the vendor for analysis. However, the team has been reviewing the survey methodology report, has conducted five (5) teleconferences, identified questions and received answers working in close concert with the CG-BSX staff assigned to this project. That said, what seemed at the time to be a workable plan to complete the review of the methodology, dive into the findings, conduct webinars to inform the states on the applicability and implications of the data for their jurisdictions AND gather stakeholder input toward the next iteration of the NRBSS was put on hold. Given the issues associated with the 2018 effort, CG-BSX is actively considering a change in how the next NRBSS surveys are developed and administered. While this would not impact the team's efforts toward better understanding of the 2018 survey findings, it would favorably impact the extent to which NASBLA/ERAC and its membership can provide input to the content of the next round of NRBSS participation and exposure surveys, an activity codified in the latest USCG/NASBLA MOU.

- ✓ **Measures of effectiveness:** Will be developed after the committee has an opportunity to fully review the survey findings and assess the potential impact of future changes to the survey's administration and instruments.
- ✓ **Recommendation for 2021-2022 cycle. Carry over this charge, with significant modifications to the scope of work for 2022.** This charge – with modifications to reflect work already completed, work still to be conducted, and any changes to the next iteration of the survey-- should be carried into the new cycle.

### **NEW CHARGE PROPOSAL for RBS Statistics & Research**

Conduct a deep dive into the factors associated with the increases in recreational boating incidents, fatalities and injuries reported during 2020 (and continuing 2021 months of the pandemic). Review statistics and risk factors associated with other recreational activities and transportation modes during the pandemic. Collaborate with other NASBLA policy committees on this topic to avoid duplication of data requests and effort.

- ✓ **Why it's important:** The quantitative data released in the national Recreational Boating Statistics for 2020 seem to verify the anecdotal information that was described in various forums throughout the pandemic year—both in terms of increases in boating activity and increases in incidents. The release of the statistics has prompted some preliminary (what might be characterized as “knee jerk”) reactions—some of which may be borne out with further analysis; others of which may ultimately be dismissed. The official national statistics report was released at the end of June 2020 and there has not been an opportunity to request/receive additional data for analysis yet. If approved, the scope of work should be fashioned in conjunction with other NASBLA policy committees—notably Paddlesports and Education/Outreach.

### **ENGINEERING & EQUIPMENT**

Identifying and examining engineering issues, equipment design and related efforts that could mitigate risk factors identified through the committee's activities.

In the 2020-2021 cycle, the committee did not have any new, assigned charges in this category.

## 2020-2021 ENGINEERING, REPORTING & ANALYSIS COMMITTEE (ERAC) ROSTER (Initial approval Sept. 27, 2020; updated March 18, 2021)

### COMMITTEE LEADERSHIP

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\* Other project partners include: Cody Jones (Texas) and Stacey Brown (Virginia) for incident reporting project workgroup.

## APPENDIX A

### ERAC – FIRST FULL COMMITTEE MEETING OF THE 2020-2021 CYCLE THUR., DEC. 17, 2020 – 2:00PM TO 3:43PM EST

This is not intended as proceedings; the webinar recording—video/audio—is available to review via the link below. Instead, what follows is a summary of events/dates; confirmation of charge team member assignments as of 12/17 and updates of the status of charges going into 2021; and major discussion points and meeting action items. The presentation may differ from the order in which topics were actually taken up in the agenda.

#### Webinar playback link:

<https://transcripts.gotomeeting.com/#/s/679d15b2bc61c442e1506cccb5e57aaa5818871a9aeb6400c446099264e247a3>

**In attendance (all or portion of session):** ERAC committee leaders: Seth Wagner (chair, presiding), John Girvalakis (vice chair), Dan Heskett (board liaison). **Other State members:** Joanna Andrade, George Birdwell, Brian Bowles, Randy Henry, Tammy Terry. **U.S. Coast Guard:** Verne Gifford (Boating Safety Division Chief, guest), Susan Weber, Jeff Decker. **Associate members:** Pete Chisholm, Brian Goodwin, Eric Lundin, Caroline Mantel, Bruce Rowe, Ted Sensenbrenner. **Other NASBLA/State representatives:** Kim Jackson (Paddlesports committee chair). **ERAC staff:** Deb Gona

#### 2021 Calendar of Events and Reporting / Product Delivery Dates

- **IMPORTANT!** The dates for events that typically occur in the first half of the calendar year have not been finalized as of 12/17, but the reporting and product delivery deadlines are pretty solid.
  - Charge Update Report to the Board Deliver NLT Feb. 12, 2021
  - State RBS Workshop (virtual) End Feb./early March
  - Full Committee Meeting (virtual/to replace in person session) Timing/format TBD
  - Charge Update Report to the Board Deliver NLT July 2, 2021
  - Final Committee Report to the Board Deliver NLT Aug. 13, 2021
  - Post/Announce Product(s) Requiring NASBLA Member Vote NLT Aug. 20, 2021
  - Post Final Committee Report to Committee Webpage NLT Aug. 31, 2021
  - Committee Video Deliver NLT Sept. 17, 2021
  - NASBLA Annual Conference Sept. 26-29, 2021
- **ACTION ITEM:** Please respond to the topic survey for the State RBS Workshop; use the link at <https://www.surveymonkey.com/r/PreRBSWorkshop-2021> to provide input.
- **ACTION ITEM:** Start thinking about the potential timing and format(s) for the virtual version of our usual in-person meeting of the full committee. We'll need your input to make those decisions.

#### Current Charges -- Team Assignments and Charge Updates – BEGINS NEXT PAGE

- **IMPOTANT! THE STATUS UPDATE ON ACTIONS ASSOCIATED WITH ERAC IR&A 2020-1A (Phase One, recreational boating incident reporting project)** follows the current charge lists, beginning p. 3.
- **ACTION ITEM:** Teams not otherwise on hold for further direction should convene early in 2021. Contact Deb Gona for help in setting up webinars. If a team leader has not been tagged, one will be assigned ASAP
- **ACTION ITEM:** If you have not signed up for any charge, and would like to wait/observe before you make a selection, be advised that team calls will be announced on the [ERAC Overall Activity](#) section of Basecamp. Anyone on ERAC or its partnering organizations will be welcome.
- **ACTION ITEM:** Given the popularity of boating in this pandemic year, there is interest in getting a peak at the 2020 incident data; however, per Susan Weber, it wouldn't be possible to request a file to analyze as report data have not yet been validated and standardized. However, she produces a monthly report on

## APPENDIX A

casualties for her office that could be made available. ERAC will make the request and if received, will house the reports in a centralized location on Basecamp.

**ERAC IR&A 2021-1 --- Best Practices Development in Phase Two of USCG/STATES/NASBLA ERAC recreational boating incident reporting policy project.** *Charge team: Susan Weber, Tammy Terry, John Girvalakis, Eric Lundin, George Birdwell (NOTE: apart from working on specific elements, this team should provide general oversight of the best practices development and also coordinate with the team working on the K&CM 2021-1 to ensure effective delivery. Other committee members and partners may be called upon to assist on specific tasks for this charge.)*

- Given the updates from Verne Gifford, both in this meeting (see p. 3) and at the Dec. 1 board meeting, and the directives of the board to the committee on Dec. 4, work should proceed in developing the guidance for implementation. There is a general sense, from feedback to date, that while a few areas (pending discussion) might need to be modified, the project is not going to be “shut down” and work toward the guidance would not be wasted.
- The spreadsheet of “best practices” identified from the consensus recommendations document and marked up at the Feb. 28, 2020 committee meeting can be downloaded for review and continuing refinement at <https://nasbla.basecamphq.com/projects/14573897/file/255785247/Best%20Practices%20List%20v%20021920%20marked%2002282020.xlsx>
- The consensus recommendations package can be downloaded at [https://higherlogicdownload.s3.amazonaws.com/NASBLA/76594a34-f3a1-4916-95ac-1e9c872170cc/UploadedImages/APPENDIX\\_B2\\_IR\\_A\\_2020-1A\\_Consensus\\_Recommendations\\_to\\_the\\_U\\_S\\_Coast\\_Guard\\_June\\_2020.pdf](https://higherlogicdownload.s3.amazonaws.com/NASBLA/76594a34-f3a1-4916-95ac-1e9c872170cc/UploadedImages/APPENDIX_B2_IR_A_2020-1A_Consensus_Recommendations_to_the_U_S_Coast_Guard_June_2020.pdf)
- A copy of the full resource document can be downloaded at: [https://higherlogicdownload.s3.amazonaws.com/NASBLA/76594a34-f3a1-4916-95ac-1e9c872170cc/UploadedImages/advocacy/committees/ERAC/APPENDIX\\_B3\\_IR\\_A\\_2020-1A\\_Resource\\_Document\\_v\\_June\\_2020.pdf](https://higherlogicdownload.s3.amazonaws.com/NASBLA/76594a34-f3a1-4916-95ac-1e9c872170cc/UploadedImages/advocacy/committees/ERAC/APPENDIX_B3_IR_A_2020-1A_Resource_Document_v_June_2020.pdf)

**ERAC IR&A 2021-2 --- Coordinate NASBLA ERAC/State participation in the Reporting System Design component of Phase Two of the USCG/STATES/NASBLA ERAC recreational boating incident reporting policy project.**

*Committee members and partners lined up to participate in the group that will address the overhaul of the online reporting system: Brian Bowles; Joanna Andrade; Tammy Terry; Stacey Brown; and Cody Jones.*

- This group will need to hold for a bit longer as Susan Weber reported that Verne Gifford and Captain Scott Johnson wanted to involve another Coast Guard IT office in the BARD overhaul process on the front end to assure capability in its internal development and that all necessary requirements will be met.
- In follow-up to something mentioned during the November NBSAC meeting, Deb Gona asked Jeff Decker about the (potential) tie between the BARD overhaul and the regulatory project that will be needed to move a segment of the recommendations forward, Jeff described that he has been going through the sections of CFR that would be impacted by the proposed changes and that the very early work toward initiating the regulatory project has begun. However, it is a very lengthy process. Jeff does anticipate that the documentation and comments generated by the states during the reporting project’s consensus process will be helpful. He will be checking on something else that Deb asked during this discussion—in order to help make a stronger case for this regulatory project, will the individual states need to petition the Coast Guard to call for the project?

**ERAC IR&A 2021-3 --- Continue pilot program and refine best practices for collecting and evaluating human factors data.** *Charge team: Seth Wagner, Randy Henry, Eric Lundin, Bruce Rowe, Karen Steely*

- Seth Wagner reported that, like many others this year, he was not able to devote as much attention to his charge work as he’d hoped. However, he did find an easier format to use in holding and applying the criteria to the Florida fatality data. He also said that, so far, he has not seen anything that would suggest the supplemental (human performance investigation) form needs to be changed.
- Similarly, Randy Henry noted that while he started going through the form with his BARD personnel, other events this year, along with deficiencies in Oregon’s own data system (and BARD), intervened.

## APPENDIX A

- At minimum, Seth will share his revised format with Randy for possible application to the Oregon data; but preference will be to actually do the sharing as a webinar presentation that the full charge team can observe.

**ERAC K&CM 2021-1 --- Strategically enhance and evaluate the effectiveness of current NASBLA Lighthouse platform and its contents (in a larger context, seek to enhance access to and use of current and future committee products).** *Charge team: Tammy Terry, Ron Sarver, Seth Wagner, Joanna Andrade, Randy Henry, Dan Heskett (as reviewer / tester for team's work), and Deb Gona*

- Tammy Terry reported that while the team had a strong start, having initiated a review of the platform and some of the analytics, she also got sidetracked with other obligations. The group will need to re-group. However, she also noted that once the team has had a chance to review the basics regarding users and trends, then it would probably be best to get the findings out to the full ERAC—other members might see things that the team doesn't/didn't see.
- As part of the early evaluation tasks, Deb Gona inventoried the ERAC products linked across the NASBLA website—on the Federal Register pages, Lighthouse portals, committee product pages, and Connect libraries. See [https://nasbla.basecampHQ.com/projects/6173290/file/259830454/ERAC%20INVENTORY as%20of%2010262020.xlsx](https://nasbla.basecampHQ.com/projects/6173290/file/259830454/ERAC%20INVENTORY%20as%20of%2010262020.xlsx) and other project files at <https://nasbla.basecampHQ.com/projects/6173290-erac-k-cm-2021-1-lighthouse-re-evaluation/loq>.
- Since there were technical issues on the webinar and Deb couldn't advance the NASBLA web pages, members should explore the updated Lighthouse pages <https://www.nasbla.org/lighthouse/nasbla-lighthouse> and ERAC committee pages (<https://www.nasbla.org/advocacy/erac>) at your convenience. As a temporary measure, they were updated, and, in some cases, enhanced to ensure they would still be relevant while the evaluation proceeds.

**ERAC S&R 2021-1 --- Evaluate the results from the 2018 National Recreational Boating Safety Participation and Exposure Surveys (NRBSS).** *Charge team: Tammy Terry, Randy Henry, Bruce Rowe, Karen Steely*

- The findings for the Participation and Exposure Hours surveys were released in two reports on Dec. 7, 2020.
- In his remarks to the committee at the beginning of the meeting, Verne Gifford said that he anticipates it is going to take a fair amount of time for parties to digest the data/findings of the two survey reports. The Coast Guard will be seeking feedback from interested parties both on the findings and improvements for the next round. The next NRBSS is not likely to be conducted before 2023.
- To that end, one way of learning who is really serious about an evaluation and could be tapped for suggestions on future improvements is to distribute the Methodology Report upon request only. Deb Gona confirmed that the [Methodology Report](#) was received from Vann Burgess and has since been posted to Basecamp. See also, the [Participation](#) and [Exposure Hours](#) Survey Reports, available at <https://nasbla.basecampHQ.com/projects/10558435-erac-s-r-2021-1-evaluate-2018-nrbss/loq>
- The DAQs – data query system to analyze the aggregate data – is not yet available, but should be soon. Verne noted that they are even looking at NASBLA as a possible host for the system.

### **Status of 2020 Reporting Project Phase One**

**ERAC IR&A 2020-1A – Complete phase one of USCG/STATES/ERAC collaborative recreational boating incident reporting policy project.** The following are take-aways from Verne Gifford's update to the committee on where this project stands at the USCG. He also shared information about the status of the NRBSS (see above) and the Coast Guard's internal review of the State Guide (for all context, check out the webinar recording (5:25-28:00-minute marks)).

- Verne expressed appreciation for (the collective) patience in awaiting the response from the Coast Guard. Following receipt of the approved product in early August, he spent about two months going through the 120+ recommendations, reviewing the supporting documents, and analyzing data on specific areas of concern.
- Verne's recommendations are now with Captain Scott Johnson, who will make the final decisions; he expects Captain Johnson will want to socialize his decisions with the affected parties and he estimated that might occur in January.
- At the outset, Verne noted three areas of concern/disagreement with the recommendations that came forward; ultimately, he described two of those – one, the voluntary departure exclusion (that had been expanded to

## APPENDIX A

recommend excluding incidents involving underway vessels); the other, a recommendation regarding media reports (7.6) and states having final say on whether or not the media-reported incident was reportable.

- In the first case, Verne pointed to the increased likelihood of fatalities, especially from such departures on rental vessels; he also indicated that he envisioned the findings from his review of the data on voluntary departures helping to shape future areas of interest for the non-profit grants program. In the case of media reports, he pointed to the appeals process described in the State Guide as being a remedy for state disagreements with Coast Guard determinations on reportability of incidents identified through the news media reports.
- He stressed that he has no desire to increase the workload of the states (especially as it might involve collection of information on non-fatal incidents). However, Verne did advise that as part of this review, they sought legal guidance as to what the Coast Guard could require the states to collect and report on, and legal came back with a “but for” standard that gives fairly broad latitude—that is, “but for” the existence of the vessel or its associated equipment, would the incident have happened?
- Two other points raised by Verne involved concerns expressed at the recent NASBLA Executive Board meeting—one regarding “consensus” (which, he noted, does not mean 100 percent agreement), and the other, regarding the length of time it is taking the Coast Guard to respond to the recommendations. Since he pointed to Deb Gona as expressing disappointment, as a point of clarification, she noted that it was not length of response time that was her concern, but the impression left by such comments that the recommendations just emerged this summer. On the point of consensus, she concurred that it does not mean 100 percent agreement, but disagreements on 2 percent of the recommendations could still be an issue depending on the significance of those items. [NOTE: near the end of the meeting, addressing the issue of length of response time on this project, Board Liaison Dan Hesket described what he called a main concern that has been expressed by the board—that with the dynamic change of command that the Coast Guard usually has, the board doesn’t want to see years of work slowed down (and an attendant loss of knowledge [about the work]), in the event there is a change in administrative command.]

### Other NASBLA Activities of Interest to ERAC

- Ad Hoc Committee on Wake Related Activities: The effects of wake boats and efforts to address the associated issues were the focus of a [session on wake-related activities](#) at the (virtual) annual conference. At the direction of the board, in consideration of these issues as well as the related interest in updating the NASBLA model act on towed watersports, an ad hoc committee was established. Tim Dunleavy, Board Chair, headed up the group, which was given the charge to define the wake vessel characteristics. Randy Henry, who served on the committee, said it had wrapped up work following three calls; while they ultimately adopted a definition, he said they also included caveats as to why such a definition might not match intent as such a vessel is not easily defined and the identified problems wouldn’t necessarily be solved by banning the vessels. The committee will officially report out on its work.
- Tier Two of the Recreational Boating Injury Surveillance (Grant) Project: Last year, a report was issued on the first tier of the grant project, which had its origins in an Education Committee charge focused on improving understanding of passenger/occupant injuries (and possible development of a related standard in this area). There were nine recommendations from the first tier, and in this second round, work is already ongoing on two of them; one of which is to create consistent terms and definitions across the spectrum of agencies and databases that collect injury data.
- Development of boating accident standards of investigation: This is a grant project intended to move beyond the delivery of the BAI courses and take on a process very similar to the development of ANSI standards for boating safety education. We’ll seek more information from Matt Majors.
- Education Standards Panel (ESP): Eric Lundin, who also serves on ESP, advised that in the interest of consistency, the panel has used ERAC’s prior work on reporting terms and definitions (as well as more recent reporting project work) as a resource as it has taken up public comments on and updates to the standards.

### Reports from Partner Organizations and Industry

- ABYC Standards Week(s) coming up in January: Brian Goodwin described that what used to be a week-long event will be stretched to a multi-week series of webinars—beginning with the virtual annual meeting on Jan. 5, then SUR/TECH (educational events for surveyors and technicians) on Jan. 6-7, followed by PTC meetings beginning Jan. 11. **ACTION ITEM:** for more information and to register, go to <https://www.abycstandardsweek.com/>
- National Boating Safety Advisory Council: in 2021, NBSAC will operate as a committee under a new charter. Per Jeff Decker, timelines for activities are uncertain with the transition in administrations (e.g., will the current

## APPENDIX A

*administration route the appropriate paperwork to get the committee settled or will they have to wait for action by the incoming administration?). Information on NBSAC activities will be shared in 2021 as it becomes available.*

- *The boating industry has been kept extremely busy through the pandemic; as Pete Chisholm noted, camping out and boating were popular choices for recreation this year. As boat dealers have sold out their inventory, boat builders are trying to get new personnel on line to build product; that's good, but Pete noted that from a safety perspective keeping the quality up has been a challenge.*