

# Recreational Boating Safety Program Update

**Verne Gifford**

Chief, Boating Safety Division  
United States Coast Guard



# On Listening

“Don’t go walking outside. Go to the gym instead. It’s icy out and it’s getting dark.”

-My wife, 8 weeks ago



# Coast Guard Presence

- 17 USCG members
  - RDML Barata (D8) and LT Joyner
  - 6 BSX-21, Program Management and Operations
  - 4 BSX-22, Grants Management
  - 2 BSX-23, Product Assurance (CWO3 Tim Rafter)
  - 2 RBS Specialists, D1 and D13
- Tom Guess, BSX-21
- Jeff Decker, BSX-21
- Chris Robinson, D13
- Vonda Matthews, BSX-22
- CAPT Troy Glendye, BSX



# NASBLA Committee Liaisons

	Education & Outreach	Finance & Grants	VIRT	ERAC	Paddlesports	Waterway Management	Enforcement & Training	BOAT
Brian M						X	X	
Jeff D				X				X
Jonathan H				X				
Kristin W			X					
Seth W				X		X		
Susan W			X	X				
Tom D	X				X			
Tom G				X				
Cynthia D.		X						
Gary J.		X						
Will H			X					
Walt T	X (BSP)							
Paul B					X			
Ethan C	X							
Scott Sz					X			

# BLA Academy Graduates

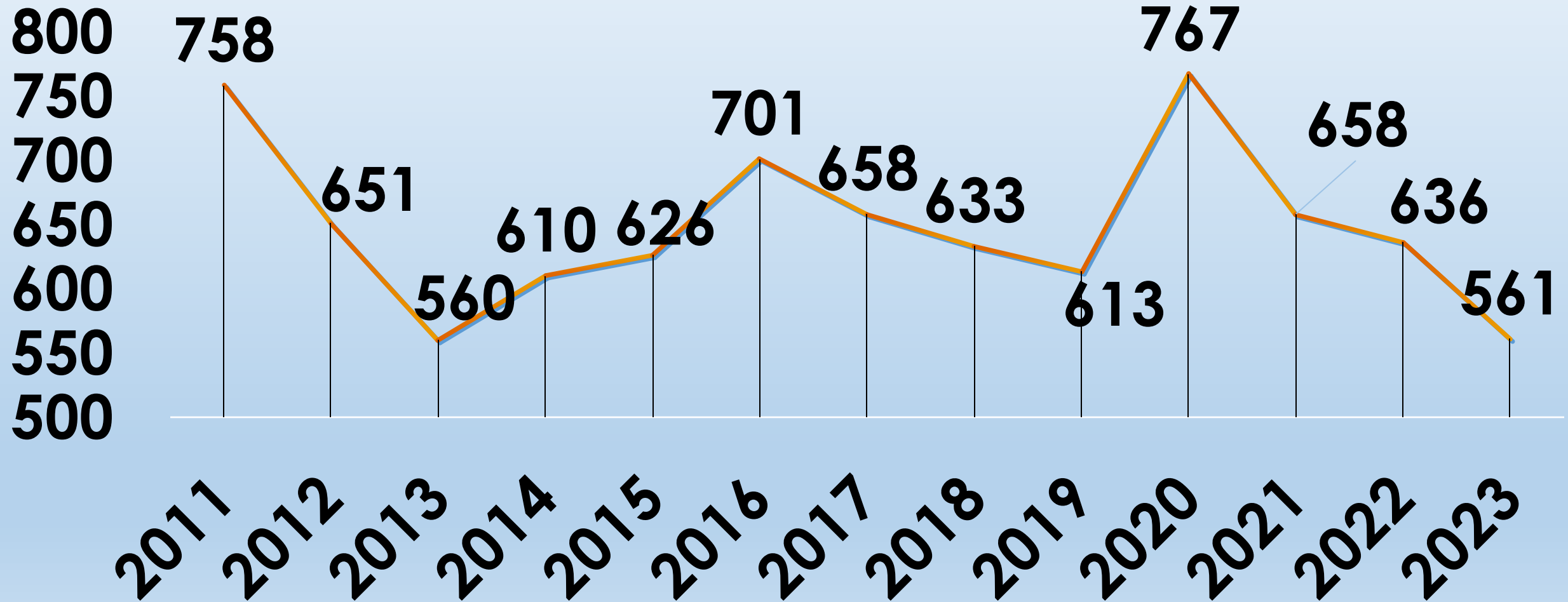
- Tom Dardis
- Cynthia Dudzinski
- Verne Gifford
- Tom Guess
- Will Hillyer
- Gary Jensen (this summer)
- Tim Rafter (this summer)
- Scott Szczepaniak
- Walt Taylor
- Seth Wagner



561



# Annual Boating Deaths



# BARD

- 46 USC § 6102
- Phase 1 of MCM, 2028 development



# BIRP

- 1 Reporting Structure, Mostly Regulations (8 of 9)
- 2 Reportable Incidents, Mostly Policy (26 of 34)
- 3 Gathering, Reviewing, Submitting, Mostly Regulations (2 of 3)
- 4 Vessel Determinations, Mostly Policy (5 of 8)
- 5 Report Elements, Fields, and Definitions, Regulations (57 of 57)
- 6 Report Input Formats, Regulations (1 of 2)
- 7 Roles and Relationships, Policy (6 of 6)
- 8 Vessel Issues, Recalls, Defects & Bridge Allisions, Mostly Other (4 of 6)
- 125 Total Recommendations, 78 Regulatory, 26 Completed Policy, 11 Pending Policy (MOU Instruction), 10 Other



# Video Training

- Numbering
- Finance
- Equipment



# BEACON ALERTS

- FY24 NATIONAL NONPROFIT ORGANIZATION FUNDING OPPORTUNITY APPLICATION DEADLINE
- FALL 2023 ISSUE OF THE BOATING SAFETY CIRCULAR NOW AVAILABLE
- 2022 LIFE JACKET WEAR RATE OBSERVATION STUDY REPORT NOW AVAILABLE

## Manufacturers



## New Law



## Boating Safety Partners



**SAFE A FLOAT**

# RBS Calendar

IBWSS	April 8-11	Albuquerque, NM
NBSAC	April 23-25	Austin, TX
LJA	May 6-8	Clearwater, FL
WYLJTWD	May 17	Nationally
NSBW	May 18-24	Nationally
ODW	July 4-6	Nationally
NASBLA	Sept 17-20	New Orleans, LA

# 2024 BOATING SAFETY CALENDAR



## 2024 Boating Safety Calendar

Jan Various Boat Shows

Feb Various Boat Shows

Apr 6 #406Day

Apr 8-11 International Boating & Water Safety Summit

May National Water Safety Month

May 17 Wear Your Life Jacket at Work Day

May 18-24 National Safe Boating Week

May 19 Kids to Parks Day

May 22 National Maritime Day

May 25-27 Memorial Day Weekend

Jun National Safety Month

Jun 1-9 National Fishing and Boating Week

June 15 National Marina Day

Jun 18 National Go Fishing Day

June 21 Summer Solstice

Jul Sun Safe Boating Month

Jul 4 Independence Day

Jul 2-4 Operation Dry Water

Sep 2 Labor Day

Sep 26 World Maritime Day

Sep 28 National Hunting and Fishing Day

Oct National Hunting and Fishing Month

Nov Child Safety Protection Month

Dec Holiday Parade of Boats

(check local community calendars)

JAN

COLD WATER  
BOATING



FEB

COMMUNICATION  
DEVICES



MAR

TAKE A SAFE  
BOATING COURSE



APR

BOATING  
PREPAREDNESS



MAY

LIFE JACKETS  
ENGINE CUT-OFF  
SWITCHES



JUN

WATER SPORTS  
RENTAL BOAT  
SAFETY



JUL

BOATING UNDER  
THE INFLUENCE



AUG

SEARCH AND  
RESCUE



SEP

FALL CLEANUP  
STORING BOAT  
AND EQUIPMENT



OCT

HUNTING AND  
FISHING



NOV

REGISTRATION  
RENEWALS



DEC

HOLIDAY GIFT  
GUIDES



safeboatingcampaign.com



instagram.com/BoatingCampaign



facebook.com/BoatingCampaign



twitter.com/BoatingCampaign

# 2022-2026 Strategic Plan

- Boater
- Manufacturer
- Data



# Data Analysis Project Dashboard

- ERAC Review



# National Recreational Boating Safety Survey (NRBSS)

- CY 2026
- Participation and Exposure Surveys
- Instrument review by March 22<sup>nd</sup>
- NASBLA Connect – Thank you Deb!
- ERAC Review
- NBSAC Review



What would you  
ask your  
boaters?



# What did 2018 NRBSS show?

- Exclusive versus Joint Ownership
- Trailering
- Non-registered boats
- 3 NMs Offshore and EPIRBs / PLBs
- DSC radios



# What will 2026 NRBSS show?

- Rental boat usage
- Flares versus eVDSDs
- Navigation equipment
- Behavioral questions



# National Recreational Boating Safety Survey (NRBSS)

- Jonathan Hsieh ([Jonathan.C.Hsieh2@uscg.mil](mailto:Jonathan.C.Hsieh2@uscg.mil))
- National Opinion Research Center (NORC)
  - Mr. David Sterett, Project Director



# Introduction to NORC at the University of Chicago

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## NASBLA State Recreational Boating Workshop

March 12-13 in Lexington, Kentucky

David Sterrett  
Principal Research Scientist





# NORC

at the  
University of  
Chicago

NORC at the University of Chicago is an objective,  
nonpartisan, research organization that delivers insights  
and analysis decision-makers trust.

 Research You Can Trust™

## NORC at a Glance

**500+**

### Active Projects

NORC experts conduct innovative, nonpartisan research and analysis for governments and organizations around the world.

**300M+**

### Annual Revenue

Our cutting-edge work is funded by national and international government agencies, foundations, corporate, and nonprofit clients who turn to NORC for objectivity and deep expertise.

**100+**

### Countries

NORC's global portfolio continues to grow. Our international development experts have conducted research in more than 100 countries since 1941.

**3,000+**

### Staff Members

The talented staff at NORC bring a diverse range of skills, education, and cultural backgrounds that strengthen our work.

## NORC Areas of Expertise:

- Economics, Justice & Society
- Education & Child Development
- Health Care Evaluation, Programs, & Strategy
- Health Sciences
- International Programs
- Methodology & Quantitative Social Sciences
- Public Affairs & Media Research
- Public Health
- Statistics & Data Science

NORC has been conducting research since 1941

- **National Immunization Survey (NIS) for the CDC**
  - NORC took over the largest telephone survey in the nation in 2005.
- **Survey of Consumer Finances (SCF) for Federal Reserve Board**
  - NORC started collecting the only fully representative financial data of U.S. households in 1992.
- **General Social Survey (GSS) for National Science Foundation**
  - NORC has been interviewing a representative sample of Americans on a range of topics since 1972.

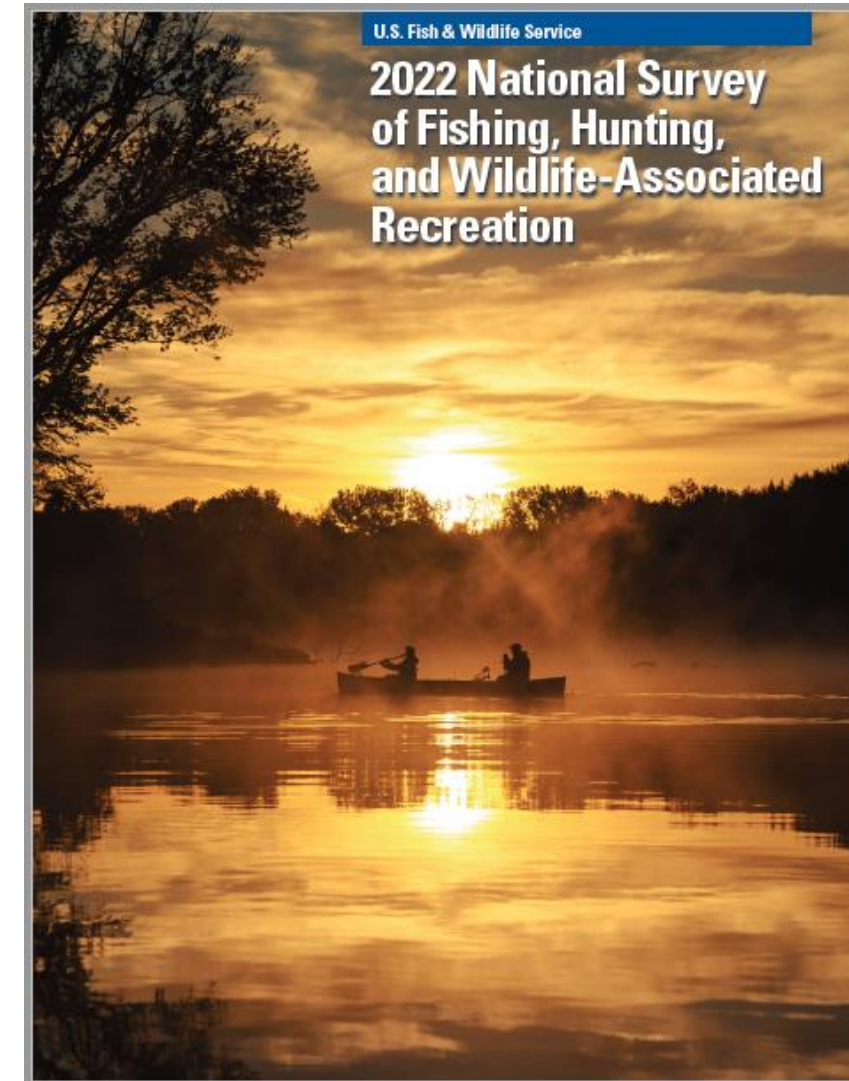
## AP VoteCast, innovative alternative to exit polling

- The Associated Press, Fox News, and NORC developed AP VoteCast, and the election survey debuted in 2018 and has been conducted in 2018, 2019, 2020, 2021, 2022, and 2024.
- Goal was to create a new survey that would deal with several challenges:
  - Growing share of the vote that is not cast in person on Election Day
  - Use modern weighting techniques to adjust for known issues with non-response
- **VoteCast surveys registered voters in the week leading up to the election.**
  - Applies likely voter screen to identify voters, but also interviews non-voters
  - Asks vote choice, as well as a series of attitudinal and demographic questions
- Data used by AP and Fox news to help make race calls on election night and is used to tell the stories of the election.
- **To achieve a large sample size with a cost-effective approach, we combine data from three sample sources:**
  - Probability sample from voter registration lists with 30,000-40,000 interviews
  - Non-probability sample from opt-in web panels with 80,000-90,000 interviews
  - National probability sample from AmeriSpeak panel with 3,000-4,000 interviews

The 2022 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation (FHWAR)

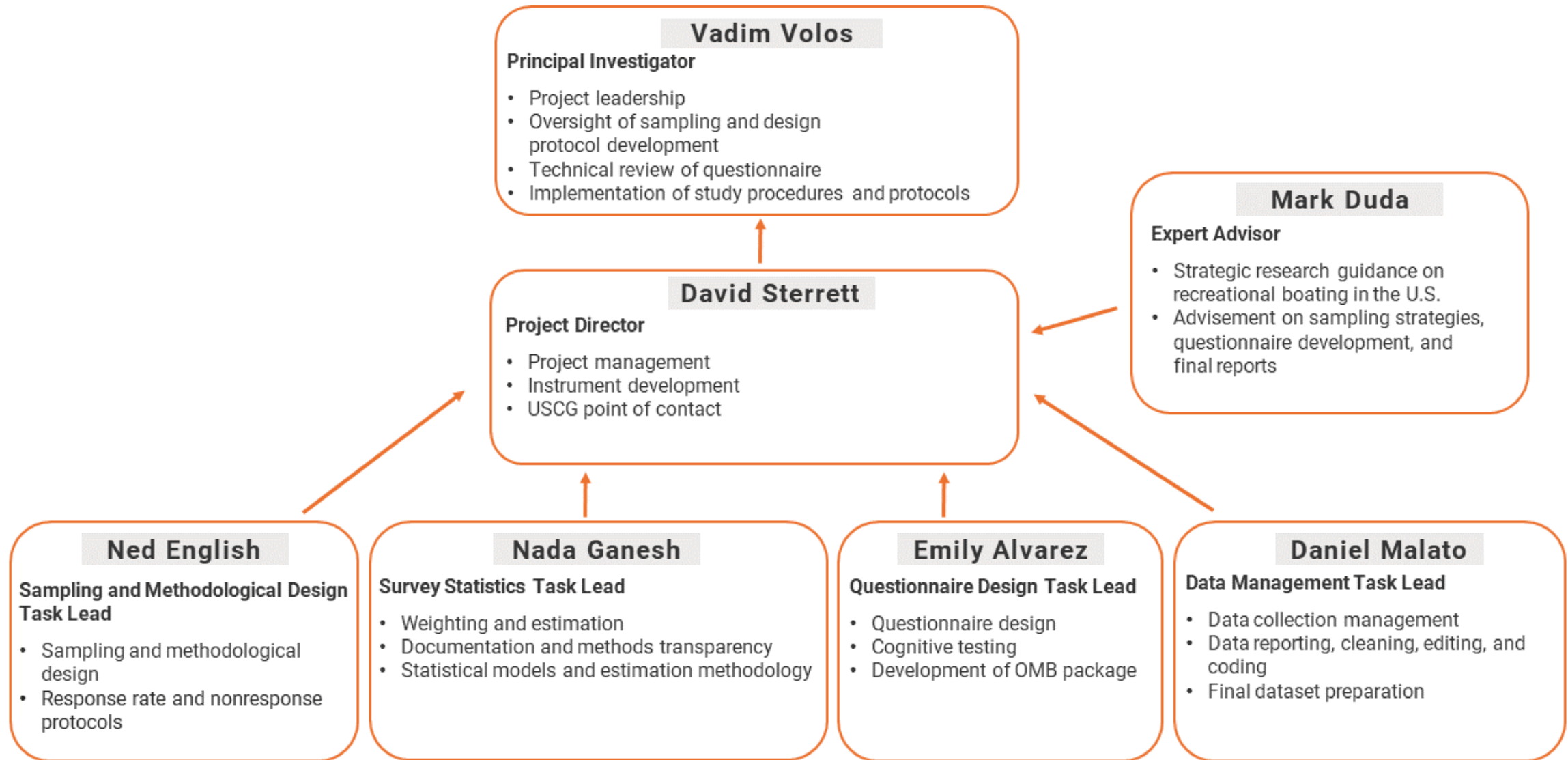
## **NORC revamped the FHWAR to improve the estimates and decrease costs**

- Moved the survey from in-person interviews to web, phone, and paper surveys
- Incorporated NORC's AmeriSpeak® panel to increase rural coverage and reduce avidity bias
- Applied NORC's TrueNorth weighting to calibrate AmeriSpeak® and nonprobability responses
- Conducted more than 100,000 interviews to derive precise outdoor recreation participation estimates



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# The NORC Project Team

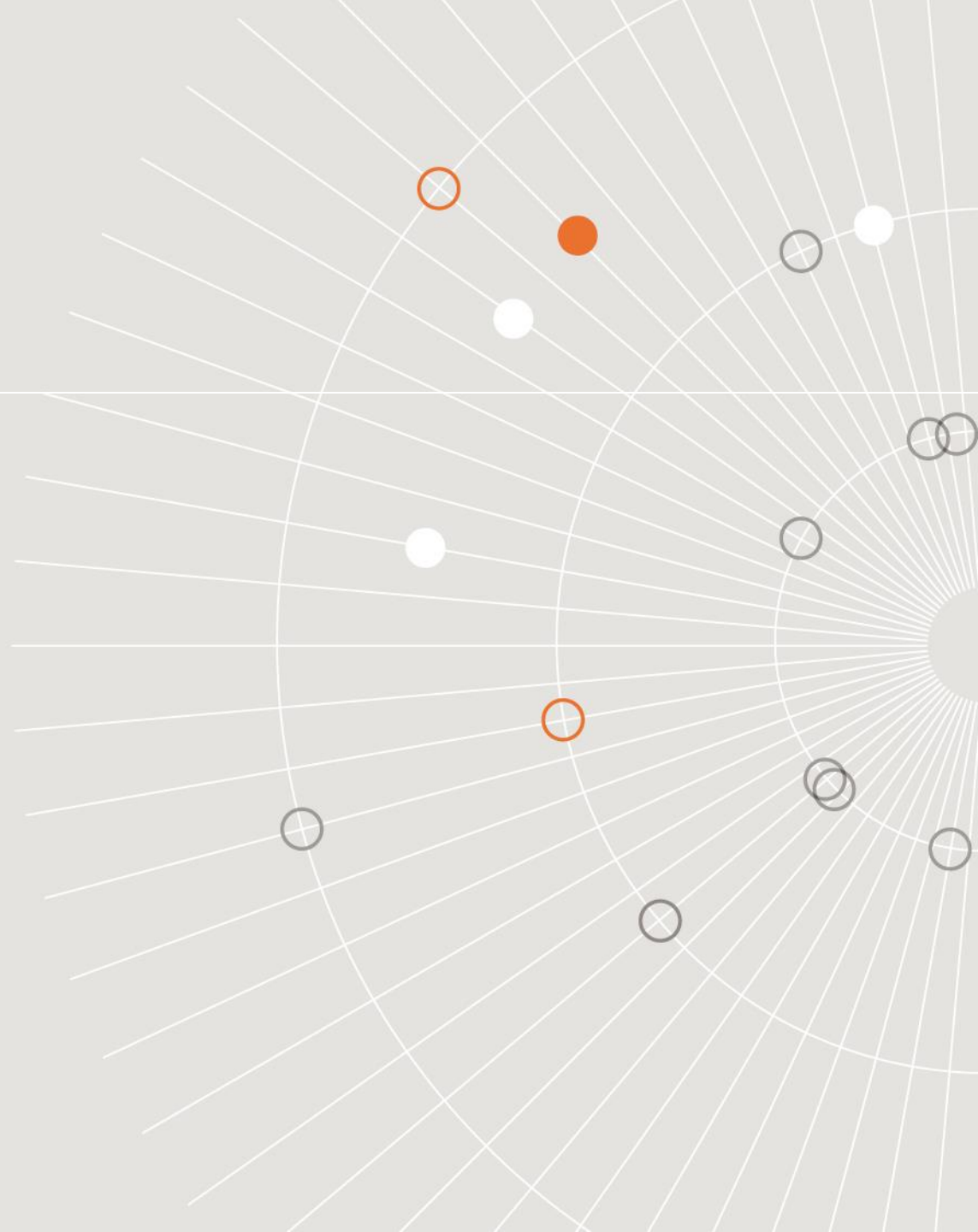


## NORC's Approach for the 2026 NRBSS:

- Collaborate closely with the U.S. Coast Guard and its partners
- Constantly explore ways to improve the methodology to increase the reliability and the precision of the estimates

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# Questions?



# Regs and NBSAC Update

**Tom Guess**

Boating Safety Division  
United States Coast Guard



# Topics

- NBSAC Task Statements
- NBSAC Recommendations
- Throw Bags
- Electronic Cutoff Switch (ECOS)
- Fire Protection
- Exemption from preemption – PFDs Paddlecraft
- Electronic Cert of Number (eCON) Update
- Regulatory Project Update



# NBSAC Task Statements

- NBSAC has 3 subcommittees to carry out its tasking. Each subcommittee has various task statements.
  - Prevention Through People
    - Working on 13 recommendations from list of 30 that moved over from the Boating Safety Advisory Council prior to the Committee structure in 2020.
  - Boats and Associated Equipment
    - Working on numerous standards for Boats/Assoc equipment
    - Ultimately will lead to updates to 33 CFR 179, 181, and 183.
  - Strategic Planning
    - Working on the RBS Strategic Plan 2022 – 2026 and forward to 2026 – 2030 RBS Strategic Plan.



# NBSAC Recommendations

NBSAC makes recommendations as listed below and these are how the task statements are developed and where they originate. (Not all inclusive, but primary)

## Ongoing Recommendations:

- Regulations for mandatory life jacket wear
- Emergency Locator Beacons (ELBs)
- MISLE Database improvements
- Throwable PFD vs Throw-Bag
- Increased emphasis on human factors
- Alternatives for distress alerting/locating signals
- ECOS Requirements
- Improved incident reporting system (BARD)
- Regulatory recommendations



# NBSAC Information on Throw-bags

Why is the throw-bag law from 2018 not in regulations yet?

- Law relieved river rafts (rec/comm) from carrying a throwable PFD and required follow-on regs
- TBs in lieu of a throwable PFD.
- Implementation deadline – December 4, 2019.

The 2018 CG Authorization Act required the DHS SEC to prescribe regs that:

- Treated “marine throw bags” as lifesaving equipment
- Exempts rafts 16’ or more in length from carrying a throwable when a TB is onboard/accessibile.



# Throw-bags (continued)

The law was placed in the RBS section of Code in 46 USC § 4302

- The language in code was placed in the rec section not commercial.
- The law didn't define a "marine throw bag," and a "raft" was also not defined.
- Current law allows human powered comm vsls to carry up to six passengers without the operator having an OUPV (6-pack).

In November 2020, the USCG asked NBSAC for recommendations/NBSAC Recommended.

- Request a legislative change proposal, or
- Use other existing statutory authority
  - Do away with the requirement for vessels <26 feet to carry a TPFD when all persons on board are wearing a USCG-approved wearable life jacket
  - Exception for those within an enclosed cabin or who are below deck.  
(NBSAC Recommendation # 2020-104-1, Nov. 5, 2020).



# Throw-bags (continued)

A Rulemaking Project Proposal (RPP) was drafted to exempt all rec vessel <26 feet in length from the requirement to carry a throwable PFD (TPFD) if all persons were wearing an approved lifejacket.

- This would leave the throw-bag requirement decision at the state level.
- Many states already have a throw-bag requirement - not USCG regulated equipment
- Without a USCG exemption, the TPFD requirement can't be removed.

Things to note:

- CG Comm VSL Compliance (CVC) cleared the RPP
- CG ENG-4 (lifejacket folks) cleared the RPP but didn't want to pursue TBs.

Ultimately rejected as a one-off and will be reconsidered moving forward.



# Electronic Cutoff Switch Laws

According to Title 46 U.S.C. § 4306 (“Federal preemption”),

- “A State . . . may not establish, continue in effect, or enforce a law or regulation
- Establishing a rec vessel or assoc. equip performance/safety standard or impose requirements not identical to a regulation prescribed under section 4302 of this title... Except,
  - In the absence of the Secretary’s disapproval, regulate the carrying/use of marine safety articles to meet uniquely hazardous conditions/circumstances within the State.



# Electronic Cutoff Switch Laws

So, what does that mean?

- States with ECOS laws and fire protection equipment laws and regulations different from the corresponding federal law or regulation are preempted by 46 U.S.C. § 4306:
- The Coast Guard determined that recreational vessel safety should not be adversely affected in the short term by a current law differing from the Federal law.
- States, Territories, and DC (“States”) should begin working to change these laws and regulations, so they are identical to the requirements found in 46 U.S.C. § 4312 and 33 CFR 175 Subpart E, respectively.



# Electronic Cutoff Switch Laws

States with an existing ECOSL law motorboats/PWCs prior to the passage of the federal requirement:

- Seven States have existing ECOS requirements for motorboats other than PWCs – they're in the process of aligning with 46 USC § 4312. The USCG provided letters in March 2022 to: Alabama, Arkansas, Illinois, Louisiana, New Jersey, Nevada, and Texas

States that have PWC ECOSL laws:

- States with a PWC ECOSL law/reg not identical to 46 U.S.C. § 4312, should contact your USCG State Program Coordinator. The SPC will work with states to provide drafting assistance and review.



# Electronic Cutoff Switch Laws

46 USC §4312. Engine cut-off switches:

## (a) Installation Requirement:

- A manufacturer, distributor, or dealer that installs propulsion machinery and associated starting controls on a covered (*under this code*) recreational vessel shall equip such vessel with an engine cut-off switch and engine cut-off switch link that meet American Boat and Yacht Council Standard A-33, (Effective on enactment of Frank LoBiando CG Auth Act of 2018 (Public Law 115-282).

## (b) Use Requirement:

- An individual operating a covered recreational vessel shall use an engine cut-off switch link while operating on plane or above displacement speed.
- Exceptions: Shall not apply if the main helm of the vessel is installed within an enclosed cabin; or the vessel does not have an engine cut-off switch and is not required to have one under subsection (a).



# Fire Protection Laws

Fire protection equipment laws:

- States with fire protection equipment law/regs not identical to 33 CFR 175 Subpart E, should also contact your USCG SPC. The SPC will work with the State to provide drafting assistance and review.



# Exemption From Preemption For Personal Flotation Device Wear on Paddlecraft (References)

## References:

- a. 46 USC §4306
- b. Recreational Boating Safety Equipment Requirements; Notice of Proposed Rulemaking, 57 Fed. Reg. 53410 (Nov. 9, 1992)
- c. Recreational Boating Safety Equipment Requirements; Final Rule, 58 Fed. Reg. 41602 (Aug. 4, 1993)
- d. 33 CFR §175.5
- e. 33 CFR §173.31. Purpose. This policy clarifies exemption from preemption regarding State laws and regulations about personal flotation device (PFD) wear while onboard or operating paddlecraft.

## Background:

Ref (a): Federal preemption authority for rec vsls.

Refs (b), (c): Limited exemption from preemption for the wear of PFDs for canoes/kayaks.

Refs (d), (b), and (c): Treats canoes/kayaks as broad categories of vessels so that States should be able to set PFD requirements.



# Exemption From Preemption For Personal Flotation Device Wear On Paddlecraft

Exemption from preemption by Federal regulations when establishing or enforcing State laws and regulations on the wearing of PFDs is considered to include all paddlecraft as defined in 33 CFR §173.31

Guidance was issued by letter from BSX:

- The guidance letter is not a substitute for applicable legal requirements, nor a rule.
- It is not intended to or impose legally binding requirements.
- It represents the USCG's current thinking on this topic and may assist industry, mariners, the general-public, and the CG, and other federal/state regulators, in applying statutory and regulatory requirements.
- You can use an alternative approach for complying with these requirements as long as the requirements of the applicable statute/regs are met.



# Regulatory Projects - Updates

## Regulatory Projects via NBSAC recommendations and U.S. Code Changes

- An amendment to 46 USC § 1230 (Dec 2022 effective for Fed FY 2023)
  - Certificates of Number
    - Available for inspection at all times
    - On the vessel to which issued while in operation
    - May be hard copy, or *in digital form* (hard copy should be pocket-sized)
    - Valid for not more than 3 years
- The Direct Final Rule ( 33 CFR 173 & 174) for electronic Certificates of Number (eCON) has cleared to be released for publication. Once published it will have a 60-day comment period but essentially becomes effective immediately.



# Regulatory Projects - Updates

BSX is considering open a regulations project on the following:

- 33 CFR 173 – Vessel numbering and Casualty Reporting
- 33 CFR 174 – State Numbering
- 33 CFR 175 – Equipment
- 33 CFR 179 – Defect Notification (equipment/boats)
- 33 CFR 181 – Manufacturer Requirements
- 33 CFR 183 – Boats & Associated Equipment

