



## **RESOLUTION 2021-1**

### **Reaffirming support for the consensus recommendations developed through the Recreational Boating Incident Reporting Policy Project**

**WHEREAS**, the Federal Boat Safety Act of 1971 calls for “the States to assume the greater share of boating safety education, assistance, and enforcement activities;” and,

**WHEREAS**, according to 46 U.S. Code § 13109, the Secretary of the Department of Homeland Security is directed to “ensure the fullest cooperation between the State and United States Government authorities in promoting boating safety by making agreements and other arrangements with States when possible;” and,

**WHEREAS**, recreational boating incident data are gathered, reviewed, and then submitted electronically by the States, District of Columbia, and five U.S. Territories (hereafter, the “States”) to the U.S. Coast Guard’s Boating Accident Report Database (BARD) for inclusion in the annual *Recreational Boating Statistics*; and,

**WHEREAS**, the incident report data are fundamental not only for meeting the federal statistical mandates, but also for research and analyses that affect the understanding of national boating safety issues, shape National and State RBS Program goals and policies, inform allocations of resources, and lead to consideration of vessel and associated equipment design and construction standards; and,

**WHEREAS**, many of the U.S. Coast Guard’s National RBS Strategic Plan initiatives and performance measures are directly linked to the boating incident data gathered and submitted by the States; and,

**WHEREAS**, the States have sought clear procedures in the interest of uniformity and consistency in federal reporting requirements for boating incidents; and,

**WHEREAS**, a significant amount of effort has been expended for nearly two decades by the National Association of State Boating Law Administrators (NASBLA) on behalf of the States, and the National Boating Safety Advisory Council (NBSAC), among others, to make reasonable and appropriate recommendations to the U.S. Coast Guard for regulatory and policy revisions intended to improve the national recreational boating incident reporting system and quality of the report data; and,

**WHEREAS**, despite their best efforts, none resulted in comprehensive revisions to the reporting system or the update of the CG-449 Standard Method of Reporting (Boating Accidents), the operational guidance last published in 1973; and,

**WHEREAS**, in 2017, NASBLA with U.S. Coast Guard support sought to initiate one more project, this time covering the entirety of the recreational boating incident reporting system—from its regulatory and policy requirements, structures, and procedures to the electronic reporting system through which the incident reports are submitted; and,

**WHEREAS**, the leadership of the Office of Auxiliary & Boating Safety was receptive to supporting this NASBLA-led effort, and in consultation with NASBLA leadership in November 2017, approved the collaboration that would become the “Recreational Boating Incident Reporting Policy Project;” and,

**WHEREAS**, the leadership of these partnering organizations also approved establishment of a workgroup of State, Coast Guard Boating Safety Division, and NASBLA representatives to devise and achieve consensus on a set of initial project recommendations; and,

**WHEREAS**, in order to initiate regulatory reform and implement policy changes, the Coast Guard would need to know and demonstrate that the States, as the primary affected parties, would be supportive of the direction of those changes; and,

**WHEREAS**, from February 2019 through May 2020, the workgroup moved its initial consensus recommendations through an extensive, multi-level information sharing, feedback, revision, and approval process involving the project’s organizational partners and the States, as represented by their Boating Law Administrators or designees, in workshops, national teleconferences, and open comment forums; and,

**WHEREAS**, the consensus recommendations finalized through the collaboration would revise and clarify the national recreational boating incident reporting structure, policies, and procedures and ultimately, the national collection of report data, through both regulatory reform and program policy updates; and,

**WHEREAS**, such products developed or co-sponsored by NASBLA committees and other workgroups are reviewed and voted on by members as official Association business; and,

**WHEREAS**, under the terms of NASBLA Bylaw III, Section 8, a vote on the package of consensus recommendations was conducted with NASBLA members in July 2020; and,

**WHEREAS**, by the voting deadline, 54 of the 56 NASBLA members had cast ballots, including all 50 States, with all voting to accept the package and approve its delivery on behalf of the Association and the States to the U.S. Coast Guard Office of Auxiliary & Boating Safety; and,

**WHEREAS**, on Aug. 6, 2020, the package was sent to the Office of Auxiliary & Boating Safety Office to inform the direction the Coast Guard would take in developing related national policy and regulatory provisions.


**NOW THEREFORE, BE IT RESOLVED**, that the National Association of State Boating Law Administrators meeting on September 28, 2021, in Pittsburgh, Pennsylvania, does hereby reaffirm its support for the consensus recommendations of the Recreational Boating Incident Reporting Policy Project.

**BE IT FURTHER RESOLVED**, that the NASBLA membership strongly encourages the U.S. Coast Guard Office of Auxiliary & Boating Safety to:

- 1) Expedite work on the regulatory project that will be necessary to revise, among other current CFR provisions, the fundamental structure of the incident reporting system as recommended; and,
- 2) Implement the recommendations that can be achieved through policy statements or procedural changes, especially those intended to clarify or establish guidance on the conditions under which incidents require a full federal report and are included in the annual Recreational Boating Statistics; and,
- 3) Take all necessary and timely steps toward the design and deployment of an electronic reporting system that will replace the current BARD and be responsive to the project recommendations; and,
- 4) Incorporate the project's recommended data elements into the next information collection request to the Office of Management & Budget as a modification to the Boating Accident Report (BAR) collection (1625-0003) and Coast Guard BAR Form (CG 3865), scheduled to expire in its current form on July 31, 2022.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to U.S. Coast Guard Commandant Admiral Karl L. Schultz for action.



  
Timothy C. Dunleavy  
September 28, 2021