RESOLUTION 2015-1

Restoring the State/Federal Partnership in Recreational Boating Safety

WHEREAS, the Federal Boat Safety Act of 1971 was enacted by Congress to encourage greater State participation and uniformity in boating safety efforts; and,

WHEREAS, the Federal Boat Safety Act of 1971 permitted the States to assume the greater share of boating safety education, assistance and enforcement activities to carry out a National Recreational Boating Safety Program; and,

WHEREAS, it was the intent of Congress in the 1984 amendments to the Act to further encourage and assist the States in exercising their authorities in boating safety and to foster greater cooperation and assistance between the Federal Government and the States in administering and enforcing Federal and State laws and regulations pertaining to boating safety; 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 States and United States Government authorities in promoting boating safety by making agreements and other arrangements with States when possible; and,

WHEREAS, each year the State Recreational Boating Safety Programs collectively administer more than 95% of all publicly provided boating safety resources and programs in support of the national recreational boating safety initiatives; and,

WHEREAS, since the State Recreational Boating Safety Programs assumed the primary role of implementing the National Recreational Boating Safety Program our nation has seen more than a 65% reduction in annual boating fatalities; and,

WHEREAS, relentless efforts have been made by the U.S. Coast Guard’s Boating Safety Division over the last 10 years to ignore Congressional intent, for example, by working to undermine State program authority in the area of boating accident reporting through attempts to compel the States to adhere to reporting requirements that go beyond what is required by Federal regulations at the threat of withholding authorized trust funds to the States.

NOW THEREFORE, BE IT RESOLVED, that the National Association of State Boating Law Administrators, meeting on September 15, 2015, in Wichita, Kansas, does hereby request the United States Coast Guard to direct the Boating Safety Division to move immediately to restore the State/Federal partnership in recreational boating safety by adhering to the Congressional intent embodied in the Federal Boating Safety Act of 1971 and its subsequent amendments of 1984.
BE IT FURTHER RESOLVED, that the Boating Safety Division be directed to act cooperatively, collaboratively and with transparency and mutual respect for its State partners in working to achieve the necessary policy, regulatory and legislative remedies to achieve the shared State/Federal objectives for maintaining and advancing the National Recreational Boating Safety Program.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to U.S. Coast Guard Commandant Admiral Paul F. Zukunft for appropriate action.

Eleanor Mariani, President
September 15, 2015