



(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on Natural Resources and
Transportation...**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Natural Resources and Transportation

Senate Bill 471

Relating to: operation of motorboats by persons who are at least 16 years of age and born after a certain date and the rental of motorboats and granting rule-making authority.

By Senators Olsen, Miller, Roessler and Darling; cosponsored by Representatives Hines, Freese, Townsend, Hundertmark, Black, Ott, Ainsworth, Bies, Berceau, Lehman, Krawczyk, Van Roy, Owens, Moulton, Jeskewitz and Molepske.

December 09, 2005 Referred to Committee on Natural Resources and Transportation.

January 5, 2006 **PUBLIC HEARING HELD**

Present: (4) Senators Kedzie, Kapanke, Wirch and Breske.
Absent: (1) Senator Stepp.

Appearances For

- Luther Olsen — Senator, 14th Senate District
- Bill Engfer — WI Department of Natural Resources
- Rhonda Heiser, Baraboo
- John Young, Baraboo
- Bill Gossard, Washington, DC — National Transportation Safety Board
- Peter Chisholm, North Fond du Lac — Mercury Marine
- Maureen Van Dinter, Waunakee
- John Van Dinter, Waunakee
- George Meyer — WI Wildlife Federation
- Ronald Kraase, Greenfield — United States Power Squadren

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- John Linder, Madison
- Christian Heiser, Baraboo
- Janet Elliot, Baraboo
- Jake Hines — State Representative
- Jeremy Levin — WI Medical Society

- Harold Heiser, Baraboo

Registrations Against

- None.

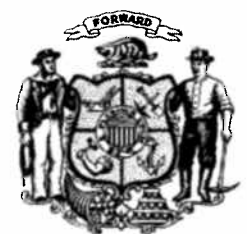
May 4, 2006

Failed to pass pursuant to Senate Joint Resolution 1.

Dan Johnson
Committee Clerk



WISCONSIN STATE LEGISLATURE



Prepared Statement in support of Senate Bill 471
Pete Chisholm
January 5, 2006

I am here today to speak on behalf of Mercury Marine in support of SB 471, requiring mandatory boater education. I also spoke last May at the Assembly hearing in support of AB 248.

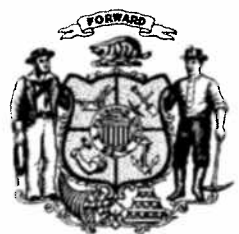
Mercury Marine has been providing marine engines to the boating public for over 65 years. We want our customers to have a safe and enjoyable boating experience. Recreational boating is many things to many people, but tragedy is not part of anyone's definition. We take it personally at Mercury Marine when we hear that someone has been injured, or worse yet, dies while using a boat powered by one of our engines. In order to understand how recreational boating accidents occur we frequently investigate such events. Our knowledge of recreational boating safety issues also comes from the participation of company employees in safety initiatives sponsored by boating safety organizations, state and federal recreational boating regulatory agencies and various industry organizations. Based on these experiences we believe that the best way to prevent accidents is through education. No one here would dream of placing their 16 year child old behind the wheel of a car without driver's education and operating a boat should be no different. Basic navigation, the importance of life jackets, safe boat handling, dealing with emergencies, and how to read a navigation chart are just some of the important topics covered in a boating safety course.

On a nationwide scale nearly 80% of all reported fatalities occurred on boats where the operator had not received any boating safety instruction. Wisconsin ranks #6 in the nation in the number of registered boats, yet it requires no education. As the largest manufacturer of marine propulsion systems in the world, we at Mercury Marine endorse SB 471.

Thank You



WISCONSIN STATE LEGISLATURE





**National
Transportation
Safety Board**

Safety Information

Washington, D.C. 20594

TESTIMONY OF

BILL GOSSARD

NATIONAL TRANSPORTATION SAFETY BOARD

BEFORE

**COMMITTEE ON NATURAL RESOURCES and TRANSPORTATION
WISCONSIN SENATE**

ON

**SENATE BILL 471 and ASSEMBLY BILL 248 – ESTABLISHING A
BOATER SAFETY EDUCATION PROGRAM**

MADISON, WISCONSIN

January 5, 2006

Good morning, Chairman Kedzie and Committee members. It is a pleasure to be here once again in Madison to discuss the National Transportation Safety Board's studies on recreational boating safety and our recommendations to Wisconsin and other States regarding boater safety education.

The National Transportation Safety Board is an independent Federal agency charged by Congress to investigate transportation accidents, determine their probable cause, and make recommendations to prevent their recurrence.

Recreational boating fatalities are very high, even exceeding fatalities in general aviation accidents. In 2004, the States reported to the U.S. Coast Guard that 676 persons were killed and 3,363 persons were seriously injured in boating accidents in this country. As compared to the previous year, 2003, the national fatality rate dropped 4 percent. Of the 676 fatalities, 484 drowned. There were 24 boating deaths in Wisconsin in 2004. A 20 percent increase in fatalities over the previous year. In the past 5 years, there have been 107 deaths on Wisconsin waters. (25 in 2000; 20 in 2001; 18 in 2002; 20 in 2003; and 24 in 2004).

Other information indicates that recreational boating injuries are even higher than the numbers reported to the United States Coast Guard. Information from an American Red Cross survey indicates that more than 355,000 persons are injured from recreational boating accidents annually, and more than 40 percent of these injuries require medical treatment beyond first aid. A study by the Centers for Disease Control, released in 1997, found that as many as 32,000 injuries from personal watercraft alone required medical treatment.

As a result of its concern regarding the number of boating deaths and injuries, and the prospect for increases in these numbers, the Safety Board in 1993 conducted a study of recreational boating accidents and their causes. The Board reviewed information on 407 fatal recreational boating accidents that killed 478 persons, which occurred in 18 States in 1991. This represented about 52 percent of the fatal accidents and deaths in that year.

The Safety Board also reviewed safety studies performed by other organizations and data from the Coast Guard. Further, the Board conducted detailed investigations of three recreational boating accidents in 1992 in which a total of 13 persons died, including 4 children and 2 teenagers.

Before proceeding with the study findings and recommendations, let me share with you one of the recreational boating accidents we investigated.

About 2:00 p.m. on a Friday afternoon, 2 adult males, one adult female, and 5 children (ages 18 months to 9 years of age) departed a California marina in a 15-foot-long open boat powered by a 70-horsepower outboard motor. The marina operator observed the boating party departing the marina and recalled that the party purchased gas, food, and drinks, including a six-pack of beer.

The 10-mile trip across San Pablo Bay to an island was uneventful. About 5:30 p.m., the boating party departed the island. On the return trip, the boat was heading into the wind and waves, and the trip was rougher than the earlier crossing.

As the boat neared the entrance channel to the river leading back to the marina, the outboard motor stopped because the primary fuel tank ran dry. The fuel line was connected to the reserve tank, but efforts to restart the motor were unsuccessful. With the boat drifting and rolling in choppy waters, one of the adult males moved to the back of the boat to try and remedy the situation, and the stern of the vessel began to sink. The five children were wearing personal flotation devices; the three adults retrieved theirs from a forward locker before the bow went under water.

About 6:00 a.m. the following day, a local fisherman spotted the adult female drifting near the river's entrance about 1 mile from where the boat had sunk. She was rescued, and the Coast Guard was notified. Based on her report, a full-scale search was initiated. By mid-morning, an additional survivor (the 9-year old child) was found, along with the bodies of the other four children and one adult male. All were about 5 miles from the accident site. The surviving child was treated for hypothermia.

A toxicological test of the adult male, who was the boat operator and owner, revealed a blood alcohol concentration of 0.11 percent. The other adult male was never found.

Family members indicated that the boat operator's prior boat usage had been limited to fresh water lakes and rivers. He had no experience under the conditions encountered on the day of the accident, nor was there any record that he had taken any training courses related to boating safety.

The lack of boat operator proficiency evidenced in this accident is typical of the accidents examined for our recreational boating study.

The accident data and case studies examined throughout the study repeatedly suggested that the individuals involved in fatal boating accidents, regardless of their level of experience, operated their vessels in a manner inconsistent with a basic knowledge of the "rules of the road," an understanding of safe boating practices, and proficiency in operating skills.

Unlike general aviation and other motor vehicle operations, an operator of a recreational boat is not required to demonstrate an understanding of safe boating rules or an ability to safely operate the boat. In fact, about 81 percent of recreational boat operators in the study sample, for which information was available, had not taken any type of boating education course. Further, the report estimated that perhaps as few as 7 percent, and certainly no more than 22 percent, of first-time boat operators would have taken some type of voluntary boating safety course.

In 1994, Alabama became the first State to enact a comprehensive operator licensing requirement. The Alabama Boat Safety Reform Act provides for a boating safety examination and an endorsement on the State's vehicle driver's license. New Jersey also has a boat licensing requirement. Connecticut requires that every boat operator in the State complete boating safety education and carry a boating education certificate. In addition, personal watercraft operators must complete additional training and have an endorsement to operate in Connecticut.

At least 32 States, the District of Columbia, and Puerto Rico have enacted legislation that establishes an education requirement before a person is permitted to operate a recreational boat. Many of these laws were phased in over a period of time in order to make it easier for boaters

to comply. In each of these States, a boat operator is issued a certificate that must be made available for review by a law enforcement officer.

The experience of other States has shown that mandatory boater education requirements can make a difference. Let me share two States' success stories:

Connecticut – A mandatory education requirement was phased in beginning in 1993. All boaters now have completed a boating safety education course. In 1996, Connecticut boating officials reviewed their accident experience and reported that uneducated boaters had five times more accidents than did educated boaters in 1996.

Maryland – Maryland's mandatory education program began in 1995. The program includes all recreational boat operators. Maryland officials reported that accidents involving some operators carrying a certificate of boating education declined by 12 percent after the first full year of certification.

In Wisconsin and other states without an education requirement, any boat operator can rent or buy a vessel that can operate at speeds in excess of 70 miles per hour without demonstrating a knowledge of basic safety rules or skills in operating these sophisticated vessels. Although there are some boating advocates who would argue that most boaters would not attempt to operate such high-powered vessels without having received proper training and demonstrated an ability to operate these vessels, the Safety Board has seen the results of operators without boating education repeatedly involved in serious and fatal accidents. We are concerned that this option exists.

Therefore, the Safety Board recommended in 1993 that the States implement a program of minimum boating safety standards to reduce the number and severity of accidents. Such a program should include the requirements for recreational boat operators to demonstrate knowledge of safe boating rules and an ability to safely operate his/her vessel. While successful completion of a course indicates that a person has a knowledge of basic boating safety rules, it does not indicate that the boater has demonstrated an ability to operate a vessel.

In 1998, the Safety Board completed a safety study that reviewed personal watercraft accidents. The results from this study were similar to those of the 1993 study. The Safety Board's analysis of the 1997 State boating accident reports showed that 87 percent of personal watercraft operators for which information was available had received no boating safety instruction. A supplemental Safety Board questionnaire submitted by the 49 States that participated in this study indicated a similar proportion: 84 percent of those involved in accidents had completed no type of boating instruction. Further review of Coast Guard boating statistics for the years 1991 through 1996 found that only 85 percent of boat operators involved in fatal boating accidents for whom information was available had not had any type of boating instruction. In 2002, the United States Coast Guard again stated that consistent with previous years approximately 80 percent of all boating fatalities occurred on vessels where the operator had not completed a boating safety education course.

In August 2004, the Safety Board called for a public forum on the issue of the wearing of personal flotation devices (lifejackets). Sixteen major boating organizations representing all facets of the industry participated. One of the strong messages the Safety Board received from this forum was the need for mandatory education programs. Therefore, we believe that the industry, as a whole, is in agreement with the need for sound boating education initiated at the State level.

Recreational boating accidents, injuries and deaths will remain a serious problem unless comprehensive steps are taken to reduce the death and injury toll. The National Transportation Safety Board supports establishing a boating safety education requirement for all recreational boaters as a part of Wisconsin's boating safety program. The Safety Board considers recreational boating and the issue of the need for recreational boating education so important that we have included this issue on our 2006 "Most Wanted" transportation safety improvements list as one of the areas where critical changes are needed to reduce unnecessary loss of life. I have provided to each Committee member a copy of the Board's abstract on the "Most Wanted" safety issues and a recently published "Safety Alert."

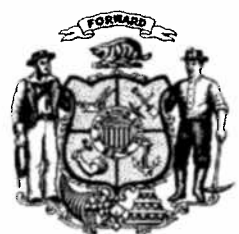
SB 471 and its companion, AB 248 which has already passed the Wisconsin Assembly, the measures before you requires a person who is 16 years of age or older and who is born after January 1, 1989 to possess a

boater education certificate indicating that they have completed a boater safety course. It also requires the State's Department of Natural Resources to establish a program to provide the required education. Thus, The National Transportation Safety Board is pleased to support Senate Bill 471 and its companion, Assembly Bill 248.

Thank you for providing the National Transportation Safety Board an opportunity to testify about this important safety initiative. I would be happy to answer any questions you may have.



WISCONSIN STATE LEGISLATURE



January 6, 2006

Members of the Committee:

My name is Maureen Van Dinter. I am here to speak in favor of passage of SB 471 and. I come as a Pediatric Nurse Practitioner, past president of the state organization, and past legislative chair. I also come as a member, and Rear Commodore-North, of the US Coast Guard Auxiliary, but speaking for myself in this matter.

We have all recognized the deleterious effects of bad decisions; driving drunk, driving without seat belts, shooting a gun without proper preparation or education. In those instances we have protected our children by requiring driving education courses for those under 18 desiring their licenses, by monitoring and ticketing drivers who do not "buckle-up" their children, and by offering hunter safety classes for children wishing to hunt with parents or grandparents.

US boating accident statistics for FY 2004 indicate that more than 70% of fatalities occur in people who have not taken ANY boating education class. Many of those incidents involve direct safety violations such as failing to have a lookout, hitting another vessel, or unsafe operation while waterskiing or towing. Others involve issues such as open use of intoxicants. All of these activities lead to a distracted boat operator and a potential lethal incident.

Just as for Hunter Safety and Driver's Education, boating education classes should be required. Boats are large uncontrollable engines passing through the water. Far too many people are unable to steer the craft safely, know anything about the boats or waterway "rights of the road", or what to do in case of an emergency. Boating classes define the safe rules and provide clear guidelines for handling of a boat, how to dock and steer, wearing of life vests, and what to do in case of an emergency.

Our state waters have seen far too many lives cut short, too many families mourning losses, and too many avoidable accidents. Our USCGAUX safety patrols have seen far too many people operating machines without the knowledge to do so. You would not place a six year old behind the wheel of a car. Any boat operator is likewise deficient in skills until properly educated. Boat operating is not intuitive, but based on defined skills and knowledge.

We must act to decrease the water fatalities in this state. Please pass SB 471.

EXECUTIVE SUMMARY BOATING STATISTICS - 2004

TOP TEN CONTRIBUTING FACTORS

ACCIDENT RANK	CONTRIBUTING FACTOR	NUMBER OF ACCIDENTS	NUMBER OF FATALITIES
1	CARELESS/RECKLESS OPERATION	570	43
2	OPERATOR INATTENTION	562	55
3	OPERATOR INEXPERIENCE	406	42
4	EXCESSIVE SPEED	401	39
5	HAZARDOUS WATERS	312	57
6	ALCOHOL USE	296	109
7	PASSENGER/SKIER BEHAVIOR	291	26
8	MACHINERY SYSTEM FAILURE	285	21
9	NO PROPER LOOKOUT	271	11
10	RULES OF THE ROAD INFRACTION	188	13

TOP FIVE TYPES OF ACCIDENTS

ACCIDENT RANK	ACCIDENT TYPE	NUMBER OF ACCIDENTS	NUMBER OF FATALITIES
1	COLLISION WITH VESSEL	1,479	68
2	COLLISION WITH FIXED OBJECT	525	46
3	FALLS OVERBOARD	488	199
4	CAPSIZING	393	184
5	SKIER MISHAP	380	7

FATALITIES AND LIFEJACKET WEAR

CAUSE OF DEATH	TOTAL NUMBER OF FATALITIES	LIFEJACKET	
		WORN	NOT WORN
DROWNING	484	53	431
TRAUMA	114	50	64
OTHER	32	11	21
HYPOTHERMIA	10	3	7
CARBON MONOXIDE POISONING	2	0	2
UNKNOWN	34	6	28

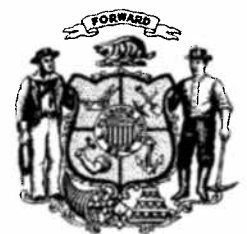
BOATING CASUALTIES

TYPE OF BOAT	NUMBER OF DROWNINGS	OTHER DEATHS	TOTAL DEATHS	TOTAL INJURIES	TOTAL CASUALTIES
1. Open Motorboat	244	107	351	1,703	2,054
2. Personal Watercraft	14	42	56	952	1,008
3. Cabin Motorboat	30	12	42	297	339
4. Canoe/Kayak	93	5	98	54	152
5. Pontoon Boat	21	6	27	92	119
6. Rowboat	47	8	55	27	82

Call the Coast Guard Infoline 1-800-368-5647 for information on Free Vessel Safety Checks (VSC)



WISCONSIN STATE LEGISLATURE



SB
471

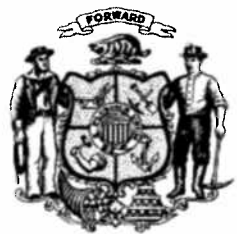
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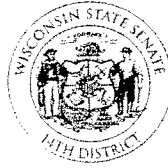
My name is Ronda Heiser, the mother of Brian Heiser. Brian had been water skiing since he was 10 years old. On June 29, 2003, Brian's life ended at the age of 31. Brian was wearing a bright colored life jacket and on a 6 foot wide, bright orange inter tube. A jet ski hit Brian and threw him 10 ft. in the air causing internal injuries and head trauma. I strongly feel that watercraft education needs to be required before operating these fast, and dangerous machine. These jet skis do look like fun and look easy to operate but we need to have safety on our waterways, just like the highways, and snowmobile trails. I don't want a family to go through the same heart ache that we are. Please, let's save lives.

Thank you, Ronda Heiser



WISCONSIN STATE LEGISLATURE





no date

Luther S. Olsen

State Senator

14th District

**Senator Luther Olsen and Representative Hines
Joint testimony on AB 248/SB 471
Senate Committee on Natural Resources and Transportation**

Good morning. Thank you, Chairman Kedzie, for giving me a chance to testify on behalf of myself and Representative Hines for Assembly Bill 248. Representative Hines would like to share his regret that he cannot attend the hearing today.

Currently, anyone 16 years of age or older can operate any motorboat or personal watercraft, regardless of size, on any lake or river in the state of Wisconsin. There is no requirement for any type of boating safety education, regardless of an individual's boating experience, or lack thereof. We already know that most boating accidents that occur are a result of a lack of knowledge of safe boating practices. Wisconsin ranks number 5 in the nation with over 600,000 registered motorboats and personal watercraft. When you combine that number with the over 400,000 out-of-state boats who visit Wisconsin, that is over 1 million boats on our waterways, and it is a number that continues to grow rapidly.

Assembly Bill 248 will require that anyone who is born after January 1, 1989 complete a boating safety course in order to operate a motorboat or personal watercraft in Wisconsin once they turn 16 years of age. It is not requiring everyone to go out and take a course as some believe, only those born after January 1, 1989. We know that with more boaters properly educated in boating safety we can reduce the number of unnecessary accidents that sometimes result in tragedy. Unfortunately, that is part of the reason that Representative Hines and I have introduced this bill. In June of 2003, Brian Heiser, a young man from our respective Assembly and Senate districts, was tragically killed in a boating accident on Lake Delton. Brian was struck by a personal watercraft driven by an individual with virtually no boating experience and no boating education. Brian's family and friends immediately began a petition to bring mandatory boating safety education to Wisconsin and collected over 3,000 signatures. They simply couldn't believe this was not the law already. They have been the driving force behind our efforts and we want to thank them for the time and energy they have dedicated to this issue.

Wisconsin is one of the last states to look at implanting mandatory boating safety education. There are 32 states that currently have laws in place, some more restrictive than what Assembly Bill 248 proposes. Iowa actually is currently considering a bill identical to Assembly Bill 248. Minnesota just passed a bill requiring PFD's for children and they are now taking up mandatory boating safety education. It is only a matter of time before all Mid-Western states have a mandatory boating safety education requirement in place.

The concept of Assembly Bill 248 is not a new one to Wisconsin. State law already requires individuals born after a certain date to complete a hunter safety course before hunting in Wisconsin. Individuals who are born after a certain date who wish to snowmobile in Wisconsin are required to complete a snowmobile safety course. The same is true for individuals who wish to operate ATV's. There is no reason the same law shouldn't apply to boating. All three of the other activities are thriving in Wisconsin and have seen no ill-effects from mandatory safety education.

Assembly Bill 248 has no negative fiscal impact. The Department of Natural Resources already has a successful boating safety education program established and will not need additional resources. People have three options for taking the course. They can take the entire course and exam in a classroom setting with an instructor. They can receive the course materials in the mail, study at home, and then take a proctored exam at a designated site. They can also choose to take the entire course and exam online from the comfort of their own home. The DNR will also recognize certificates issued by any state or Canadian province, lessening the burden on those who visit Wisconsin from neighboring states.

Last session there were concerns expressed by several legislators and a group of boat rental business owners over what this type of law could do to the boat rental industry in Wisconsin. After meeting with several business owners and the Department of Natural Resources, we believe we have come up with an amendment that is more than fair and addresses the concerns of the industry.

The amendment states that if an individual walks into a business and wants to rent a boat or personal watercraft and cannot produce proof of boating safety education, that person will be able to watch a video and take a short exam developed by the DNR. If the individual passes the test, they will be issued a temporary certificate that allows them to operate a rental boat only during a 12 month period. After 12 months, the certificate expires and the individual would need to do the whole process over again the next summer, or take the regular safety education course one time.

The DNR talked with officials from Florida about Florida's mandatory boating safety education law and how they handled boat rentals. This was the model that they used and have found it to be very successful. Boating related accidents and deaths have seen a sharp decline. We would not have considered this proposal had the DNR not found Florida's law to be successful as Florida rents more boats than anyone in the country.

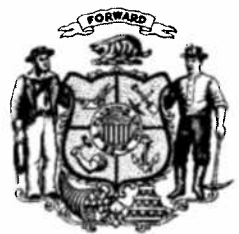
Assembly Bill 248 has a broad range of support, as you will see from the individuals who will testify later today. Manufacturers, law enforcement, recreational groups, tourism leaders, and everyday boaters all agree that this is needed.

Representative Hines and I would ask the Committee to concur the Assembly bill as amended.

Thank you for your time and attention to this matter and we urge you to support this important legislation and pass it out of committee.



WISCONSIN STATE LEGISLATURE



no date

Testimony of John Van Dinter on SB471

My name is John Van Dinter and I am a member of the United States Coast Guard Auxiliary and am currently the State Liaison Officer for that organization. I am testifying as a private citizen. I am testifying in favor of SB471 which is a companion bill to AB248.

The United States Coast Guard Auxiliary is the civilian, uniformed volunteer component of the United States Coast Guard, as well as the lead volunteer force in the Department of Homeland Security. It is made up of approximately 38,000 volunteer members. As such the Coast Guard Auxiliary is charged with promoting the Recreational Boating Safety Programs throughout the United States. We are very active in the state of Wisconsin and provide many Boating Safety Classes, Vessel Safety Checks, and Safety Patrols on all of our waters.

As a Coxswain qualified Coast Guard Auxiliarist with more than 25 years experience I have witnessed many boating accidents and crashes. Boating statistics compiled over the last several years have shown that over 75% of boating accidents resulting in a fatality involve boaters who have had **NO** formal boating education. In addition to the fatalities many of the incidents also result in additional serious injury to others. The greatest number of these resulted from mistakes made by an operator of a boat who exhibited a serious lack of knowledge as it related to boat handling or a lack of knowledge of simple navigation rules.

This type of tragedy can in most cases be avoided by properly educating the boating public. A basic education in boat handling and boating safety can be provided in as little as eight hours of classroom instruction given by knowledgeable and experienced instructors. The current Department of Natural Resources (DNR) Boating Safety Course which is offered by the Wisconsin DNR through their trained instructors is a good example of such a course. The Coast Guard Auxiliary offers a number of the basic courses, such as America's Boating Course, or the DNR Course. The Auxiliary also offers more advanced courses such as our 13 lesson Boating Safety and Seamanship, Coastal Navigation and Advanced Coastal Navigation.

As you can tell there are many opportunities for the boater to get proper education in boat handling and safety. Many will not avail themselves of the opportunity unless they are nudged in that direction by a law such as SB471 & Its companion Bill AB248. You would be doing a great service to the boaters of Wisconsin by recommending passage of this bill.

One of the big difficulties that we are experiencing as Recreational Boaters is that boats are getting bigger, more powerful and faster. Many first time boaters purchase a large boat, some on the Madison Lakes up to 42 feet long, and begin to use them without any instruction. These boaters in most cases know nothing about buoys or any other aids to navigation; Navigation Rules, required safety equipment, or boat handling skills.

In order to address some of these problems, at the annual meeting of the United States Coast Guard Auxiliary National Board in Nashville, Tennessee, on 30 August 2003, the following resolution relating to recreational boating safety was approved and passed:

Resolved that, the National Board of the United States Coast Guard Auxiliary supports mandatory boating safety education for all boat operators under the age of 16 years and encourages participation in such courses by other persons 16 years of age and older based on a

National Association of State Boating Law Administrators approved boating safety course recognized by the United States Coast Guard and such course should either include classroom instruction or an acceptable medium (CD-ROM/Internet) and require successful completion of an examination that demonstrates the proficiency of each student.

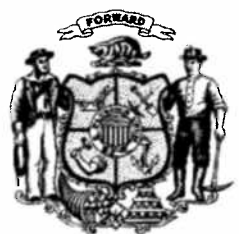
This is the official position of the United States Coast Guard Auxiliary in regards to mandatory boater education. I strongly urge you to report SB471 out of committee and work for its passage. Doing so would be very beneficial to Wisconsin boaters and their families and could reduce the tragedy often seen on our Wisconsin waters.

Thank you.

Does anyone have any questions?



WISCONSIN STATE LEGISLATURE



SB
471

no date

The bill that we are trying to get passed. is a bill that would provide training and safety for operating a personal watercraft. What this bill will do is make our waterways safer for everyone who enjoys them. It would also provide penalties for those who do not have a certificate of accomplishment from a qualified safety instructor. After all. we do have consequences for those who do bodily harm with the use of a motor vehicle. We are not trying to put anyone out of business by presenting this bill. We are just trying to turn a very tragic event into something positive. so other family and friends do not have to experience this tragic event first hand. If you truly believe that a human life is only worth \$158.00. then you should vote against this bill. If you believe a human life is a priceless. and if you believe that people need to be held accountable for their actions. then we sincerely urge you to pass this bill. Put yourself in our shoes for a moment. How would you feel if something like this happened to one of your loved ones. or someone you know? And knowing that there was something you could have done to prevent this from happening. with a little education.

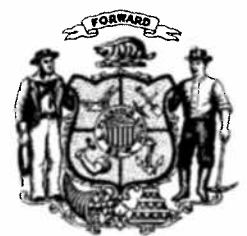
Thanks for listening.

Sincerely.

John N. Young



WISCONSIN STATE LEGISLATURE



SB
471

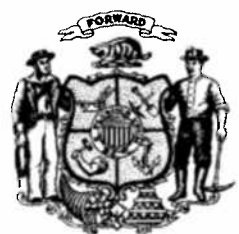
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The bill that is being presented is a bill for saving lives. Lives are needlessly taken everyday from natural causes. Someday there will be a cure for cancer. But today, let's make a cure for ignorant losses. These types of losses can be controlled with a little knowledge. Business should be happy to embrace the idea that they have safety to offer along with a fun time. That type of marketing could attract more business. There are too many stories, like the Heiser's, being written everyday in the Obituaries. Let start a new book of life that starts and ends on a happy note. Start this new book, chapter number one, page number one, with the AB Bill.

Thank you.
Vicki Young.



WISCONSIN STATE LEGISLATURE



Actions needed by States

HIGHWAY

Improve Child Occupant Protection

- Enact State laws requiring booster seats for young children.

Enact Primary Seat Belt Enforcement Laws

- Increase the number of people who wear seat belts through stronger enforcement laws.

Promote Youth Highway Safety

- Enact graduated driver licensing legislation.
- Restrict the number of teen passengers traveling with young novice drivers.
- Prohibit use of wireless communications devices by young novice drivers.

Eliminate Hard Core Drinking Driving

- Enact State legislation and take other actions that are proven to reduce crashes involving those who repeatedly drink large amounts of alcohol and drive including:
 - Frequent, statewide sobriety checkpoints.
 - Legislation to create stricter sanctions for those arrested the first time with a high blood alcohol concentration (>or = 0.15 Bac).
 - Zero blood alcohol requirement for convicted dwi offenders when they get their license back.
 - Administrative rather than court-based license revocation for refusing to take or failing the sobriety test.
 - Vehicle sanctions for dwi offenders.
 - Eliminate plea-bargaining dwi offenses and programs that divert offenders and purge the offense record.
 - Retain dwi offense records (to identify and prosecute repeat offenders) for at least 10 years.
 - Develop and operate special sanction (court-based) programs for hard core dwi offenders.

Improve School Bus/Grade Crossing Safety

- Install stop signs at passive crossings.
- Prioritize for upgrade to lights and gates, crossings that school buses traverse that now only have warning signs.
- Install noise-reducing switches on new buses.
- Enhance bus driver training and evaluation.
- Include grade crossing questions on CDL exams.

MARINE

Enhance Recreational Boating Safety

- Require mandatory education of boat operators.
- Require use of life jackets by children.
- Require safety instruction prior to personal watercraft rental.



NTSB MOST WANTED Transportation Safety Improvements 2006

Critical changes needed to reduce transportation accidents and save lives.

NTSB MOST WANTED

AVIATION

The Federal Aviation Administration should act to:

- **Reduce Dangers to Aircraft Flying in Icing Conditions**
 - Use current research on freezing rain and large water droplets to revise the way aircraft are designed and approved for flight in icing conditions.
 - Conduct additional research with NASA to identify realistic ice accumulation and incorporate new information into aircraft certification and pilot training requirements.
- **Eliminate Flammable Fuel/Air Vapors in Fuel Tanks on Transport Category Aircraft**
 - Implement design changes to eliminate the vulnerabilities of flammable fuel/air vapors in all transport category aircraft.
- **Stop Runway Incursions/Ground Collisions of Aircraft**
 - Give immediate warnings of probable collisions/incursions directly to flight crews in the cockpit.
- **Improve Audio and Data Recorders/Require Video Recorders**
 - Require cockpit voice recorders to retain at least 2 hours of audio.
 - Require back-up power sources so cockpit voice recorders collect an extra 10 minutes of data when an aircraft's main power fails.
 - Install video recorders in cockpits to give investigators more information to solve complex accidents.
- **Require Restraint Systems for Children Under Age 2**
 - Require restraints for infants and small children during takeoff, landing, and in turbulent conditions to provide them the same protection as other airline passengers.

RAILROAD

The Federal Railroad Administration should act to:

- **Implement Positive Train Control Systems**
 - Prevent train collisions and overspeed accidents by requiring automatic control systems to override mistakes by human operators.

MARINE

The U.S. Coast Guard should act to:

- **Improve Drug and Alcohol Testing of Crews After Accidents**
 - Strengthen and clarify regulations to require that drug and alcohol testing be conducted quickly after serious marine accidents.

NTSB CLASSIFICATION

- Unacceptable response
- Acceptable response, progressing slowly
- Acceptable response, progressing in a timely manner

Actions needed by Federal Agencies

HIGHWAY

The Federal Motor Carrier Safety Administration should act to:

- **Improve the Safety of Motor Carrier Operations**
 - Prevent motor carriers from operating if they put vehicles with mechanical problems on the road or unqualified drivers behind the wheel.
 - **Prevent Medically-Unqualified Drivers from Operating Commercial Vehicles**
 - Establish a comprehensive medical oversight program for interstate commercial drivers.
 - Ensure that examiners are qualified and know what to look for.
 - Track all medical certificate applications.
 - Enhance oversight and enforcement of invalid certificates.
 - Provide mechanisms for reporting medical conditions.
- The National Highway Traffic Safety Administration and U.S. DOT should act to:
- **Enhance Protection for Bus Passengers**
 - Redesign motor coach window emergency exits so passengers can easily open them.
 - Issue standards for stronger bus roofs and require them in new motor coaches.
 - Devise new standards to protect motor coach passengers from being thrown out of their seats or ejected when a bus sustains a front, side, or rear impact or rolls over.
 - Develop standard definitions and classifications for each of the different bus body types.

INTERMODAL

The U.S. Department of Transportation, Federal Aviation Administration, U.S. Coast Guard and Pipeline and Hazardous Materials Safety Administration should act to:

- **Update Hours-of-Service Regulations in Aviation, Marine and Pipeline Industries**
 - Set working hour limits for flight crews, aviation mechanics, pipeline controllers, mariners and other transportation operators, and provide predictable work and rest schedules based on current fatigue research, circadian rhythms, sleep and rest requirements.



National Transportation Safety Board
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NTSB ***SAFETY ALERT***

National Transportation Safety Board

★ **Recreational Boating Safety**

Learn safe boating and protect your children

Recreational boating deaths: a **SERIOUS** problem

- Recreational boating is fun, but the water can be unforgiving.
- An average of 714 boaters die each year; 508 of those by drowning.
- Deaths are the result of 2 major safety failures: lack of a required personal flotation device (PFD) and uneducated boaters.
- Most parents would not drive anywhere without their kids in seatbelts, car seats or booster seats. Parents should not hesitate to protect children, on the water, in a life jacket.
- Most of those who drown were in open motorboats (51 percent) and in boats less than 21 feet in length (71 percent).
- PFD wear is effective. Boating accident data shows that when mandatory PFD requirements are adopted, drowning fatalities go down.
- About 84 percent of these drowning victims would still be alive, if they had worn PFDs (U.S. Coast Guard estimate).
- Eighty percent of recreational boat operators involved in accidents had never completed a boating safety education course.
- Education works! The recreational boating industry and the Safety Board want all recreational boaters to complete a boating safety education course.
- As of December 2005, 45 States and the District of Columbia have enacted laws requiring children to wear PFDs. One State is considering legislation (Wisconsin). Iowa, New Mexico, Virginia, and Wyoming need mandatory PFD wear requirements.
- Is your State one of these 18 States that need to act to adopt mandatory boating education safety requirements? (Alaska, Arizona, California, Idaho, Indiana, Iowa, Maine, Massachusetts, Minnesota, Montana, New Mexico, North Carolina, Oklahoma, South Carolina, Utah, Virginia, Wisconsin, and Wyoming).

How to curb recreational boating accidents and deaths?

Establish a State minimum boating safety program that includes:

- Requiring children, under age 13, to wear PFDs
- Requiring all State recreational boating operators to complete a boating safety education course
- Requiring a recreational boating operator's license

What you can do to reduce recreational boating accidents and deaths?

- Use your personal flotation devices when aboard your recreational boat and be sure that your children are always in a PFD.
- Complete a recreational boating safety course approved by your State.
- Talk or write to your State lawmakers and urge them to support the National Transportation Safety Board's recommendations that states require children to wear PFDs and require all recreational boating operators to complete a boating safety education course.

Need more information?

Visit the NTSB Web site at http://www.nts.gov/Recs/mostwanted/marine_issues.htm

Testimony of John Van Dinter on SB471

My name is John Van Dinter and I am a member of the United States Coast Guard Auxiliary and am currently the State Liaison Officer for that organization. I am testifying as a private citizen. I am testifying in favor of SB471 which is a companion bill to AB248.

The United States Coast Guard Auxiliary is the civilian, uniformed volunteer component of the United States Coast Guard, as well as the lead volunteer force in the Department of Homeland Security. It is made up of approximately 38,000 volunteer members. As such the Coast Guard Auxiliary is charged with promoting the Recreational Boating Safety Programs throughout the United States. We are very active in the state of Wisconsin and provide many Boating Safety Classes, Vessel Safety Checks, and Safety Patrols on all of our waters.

As a Coxswain qualified Coast Guard Auxiliarist with more than 25 years experience I have witnessed many boating accidents and crashes. Boating statistics compiled over the last several years have shown that over 75% of boating accidents resulting in a fatality involve boaters who have had **NO** formal boating education. In addition to the fatalities many of the incidents also result in additional serious injury to others. The greatest number of these resulted from mistakes made by an operator of a boat who exhibited a serious lack of knowledge as it related to boat handling or a lack of knowledge of simple navigation rules.

This type of tragedy can in most cases be avoided by properly educating the boating public. A basic education in boat handling and boating safety can be provided in as little as eight hours of classroom instruction given by knowledgeable and experienced instructors. The current Department of Natural Resources (DNR) Boating Safety Course which is offered by the Wisconsin DNR through their trained instructors is a good example of such a course. The Coast Guard Auxiliary offers a number of the basic courses, such as America's Boating Course, or the DNR Course. The Auxiliary also offers more advanced courses such as our 13 lesson Boating Safety and Seamanship, Coastal Navigation and Advanced Coastal Navigation.

As you can tell there are many opportunities for the boater to get proper education in boat handling and safety. Many will not avail themselves of the opportunity unless they are nudged in that direction by a law such as SB471 & Its companion Bill AB248. You would be doing a great service to the boaters of Wisconsin by recommending passage of this bill.

One of the big difficulties that we are experiencing as Recreational Boaters is that boats are getting bigger, more powerful and faster. Many first time boaters purchase a large boat, some on the Madison Lakes up to 42 feet long, and begin to use them without any instruction. These boaters in most cases know nothing about buoys or any other aids to navigation; Navigation Rules, required safety equipment, or boat handling skills.

In order to address some of these problems, at the annual meeting of the United States Coast Guard Auxiliary National Board in Nashville, Tennessee, on 30 August 2003, the following resolution relating to recreational boating safety was approved and passed:

Resolved that, the National Board of the United States Coast Guard Auxiliary supports mandatory boating safety education for all boat operators under the age of 16 years and encourages participation in such courses by other persons 16 years of age and older based on a

National Association of State Boating Law Administrators approved boating safety course recognized by the United States Coast Guard and such course should either include classroom instruction or an acceptable medium (CD-ROM/Internet) and require successful completion of an examination that demonstrates the proficiency of each student.

This is the official position of the United States Coast Guard Auxiliary in regards to mandatory boater education. I strongly urge you to report SB471 out of committee and work for its passage. Doing so would be very beneficial to Wisconsin boaters and their families and could reduce the tragedy often seen on our Wisconsin waters.

Thank you.

Does anyone have any questions?