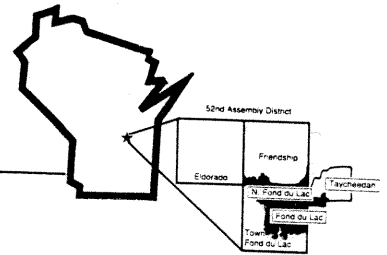




STATE REPRESENTATIVE
JOHN DOBYNS
52ND ASSEMBLY DISTRICT



May 3, 1993

Senator Margaret Farrow
134 South, State Capitol
Madison, WI 53703

MAY 3 1993

Dear Senator Farrow:

I read your proposal to double the registration fees for boats and had some concerns I want to share with you.

My first concern is in regards to the fees and what impacts they may have on the boating industry, since Mercury Marine is one of the primary employers in my district.

I applaud your efforts in regards to boater safety, and the education of boaters. Yet, I think we can find a middle ground on some of this. Requiring all boat owners over the age of 18 to have certain safety certification and different approaches for anyone under 18 operating a boat would be one way.

Also, according to the statistics I found, most drownings occur because people are not using their floatation devices. I know with your fee increase you are calling for more law enforcement our waters. My concern after coming from a sheriff's department is that most departments will never have enough money to increase enforcement in this area.

I have included a boating safety fact sheet from the National Marine Manufacturers in regards to boating safety. It appears we may be in a downward trend when it comes to boating fatalities.

Again, I applaud your efforts in regards to this approach. I am also concerned about the costs or the negative impact double registration fees might have on the boating industry in my area, especially if we get the impact of the BTU that might be coming out of Washington. There may be a tremendous cause and effect relationship in regards to this industry.

If we could sit down sometime and discuss this, I would appreciate it. I realize you are quite busy, so just let me know at your earliest convenience. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Dobyns".

John Dobyns

BOATING SAFETY FACT SHEET



Keep this by your phone in case the press calls!

Recent recommendations by the National Transportation Safety Board call for:

- A crackdown on drunk boaters
- Greater use of Personal Flotation Devices (PFDs), especially for children
- Widespread education of boating basics to operators
- Improving the quality of boat accident reports.

NMMA and the boating industry support these measures and have, in fact, championed the safe boating cause for decades by:

- Inaugurating and sponsoring with Miller Brewing the highly successful "designated driver" campaign which keeps skippers sober
- Pioneering the advertising and publicity campaign reminding boaters to wear their PFDs and insist on their use by kids
- Being the nation's largest distributor of boat safety educational materials including self-study courses, owner's manuals, videos
- Producing a video for boating law enforcement officials showing how to intercept and test for BUI leading to more convictions for offenders.

Boating has a good safety record, but industry is working to make it better:

- Boating deaths increased to 924 in 1991 and the number of fatalities per 100,000 boats rose slightly to 4.6. But the long-term trend shows great improvement; in 1971 boating fatalities were 1582 and the fatality rate was 20.2. Consider, too, that the boating population has tripled to 75 million Americans in the past 20 years!
- Boating *does not* cause the greatest number of fatalities after highway accidents (which number 43,500). Boating is way down the list after deaths by falls (12,200), poisoning (5,600), drowning (4,600), fires/burns (4,200), choking (2,900) etc.

What are the top three things boaters can do to dramatically reduce accident risk?

- Designate a driver if alcohol will be consumer on board ... at least one-half of all boat accidents are related to alcohol use
- Wear your PFD and put them on your kids ... people weren't wearing PFDs in 85 percent of boat-related drownings
- Take a boating safety course, watch a safety video, or review the owner/operator manual that came with the boat.

What about calls for boat operator licensing?

- Industry and most boating law administrators know that education and enforcement will dramatically improve the safety of boating. Observance of designated driver and PFD usage alone could cut fatalities by more than half. States are not equipped to dispense or pay for the licensing of boaters. Licenses are rescinded *after* accidents ... education and enforcement *prevent* the accident in the first place.

FROM: NATIONAL MARINE MANUFACTURERS ASSOCIATION
401 N. Michigan Avenue
Chicago, IL 60611
312/836-4747

CONTACT: Arlene Sloan

FOR IMMEDIATE RELEASE

STILL DRINKING; STILL DRIVING

CHICAGO -- Several years ago, the National Transportation Safety Board researched boating accidents and concluded that 60 percent were caused by drunk operators -- a figure, notes the National Marine Manufacturers Association, that matches the percentage of drivers causing highway accidents, where all operators are licensed.

The similar levels of alcohol incidence in driving and boating accidents are probably not coincidental, given two recent studies profiling the behavior of drunk drivers and boaters. The first report, carrying the latest statistics available from the Justice Department, indicates that more than half of the 1.7 million Americans arrested for drunk driving on the highways in 1989 had already done jail time for earlier DWI convictions. One-third of those arrested had been in jail three or more times for drunk driving, while many were arrested in connection with accidents that had just occurred. Presumably, all offenders had operators licenses, or were driving despite a suspended or revoked license.

The second study by the Minnesota Department of Natural Resources reveals a similar pattern of repeat abuse, in which 53 percent of those arrested for drunk boating in the state during 1991 had been previously arrested for drunk driving. Of the 53 percent with prior arrests, 61 percent had multiple arrest records.

Both studies add further evidence to the idea advanced by the marine industry that there is a core group of repeat alcohol offenders responsible for a disproportionate share of boating and transportation accidents -- and fatalities. They also support the view that operator licensing offers little safety benefit in the area of BWI offenders; drunks will drive and cause accidents, with or without a license.

As an alternative, boat manufacturers together with Miller Brewing Company embrace a different approach through the "Designated Boat Driver" campaign where one member of the boating party is encouraged to abstain from drinking altogether for the safety of everyone aboard. This common sense approach not only targets impaired operators as a primary cause of boating accidents, but also raises everyone's awareness about the dangers of boating while intoxicated.

Boating Safety Record Blemished By Low PFD Use, Alcohol

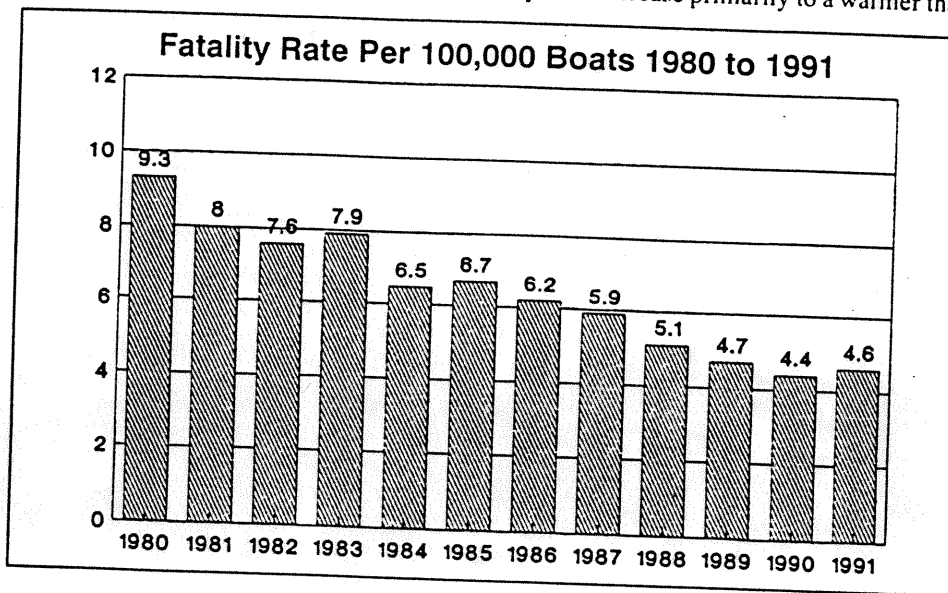
The number of people who died in recreational boating accidents last year increased for the first time in five years, according to statistics released by the U.S. Coast Guard.

In 1991, fatalities reached 924, up from 865 in 1990. The higher number of deaths translates to a slightly higher fatality rate for boating--a measure of safety the Coast Guard utilizes to put fatality statistics in perspective with a growing boating population (see graph).

Last year, the number of boats grew by half a million to an estimated total of 20 million, putting the number of fatalities for 1991 at 4.6 per 100,000 boats. Up from 4.4 fatalities per 100,000 in 1990, the latest fatality figure still reflects an improvement over 1989, and significant progress since 1971 when safety had its worst record of 20.2 deaths per 100,000 boats. Overall, the picture for the past two decades has been

one of improving on-water safety, particularly in the context of a boating population which has nearly tripled in that time.

While emphasizing a continued need for concern, the Coast Guard attributed last year's increase primarily to a warmer than



usual winter that extended the boating season in many parts of the country. Milder weather means more boating activity in late fall or early spring when hypothermia becomes a much greater risk to boaters who fall overboard or capsize.

Admiral William Ecker, head of the Coast Guard's recreational boating safety program, underscored the problem of capsizings and falls overboard which accounted for more than 60 percent of all boating fatalities in 1991. According to Ecker, overloading small recreational

boats with people and gear continues to be a serious hazard.

"Many deaths could be prevented in smaller, open boats if people would get into the habit of wearing personal flotation devices," Ecker said. "Life jackets are comparable to seat belts in automobiles -- they won't help in an accident unless you are wearing them." The National Marine Manufacturers Association (NMMA) recently utilized a Coast Guard grant through its Foundation for Recreational Boating Education and Safety to launch a national

public awareness campaign about the need for greater PFD use. Mercury Marine is a member of NMMA.

Alcohol consumption continues to be a serious problem as well, according to Ecker. "We believe excessive alcohol consumption plays a part in at least half of all fatal boating accidents," he said, noting a recent study done for the Coast Guard indicating that intoxicated boaters (a blood alcohol concentration of .10 percent or above) are nearly 11 times more likely to die in a boating accident than those who stay sober.

-- wear your PFD and put them on your kids ... people weren't wearing PFDs in 85 percent of boat-related drownings

-- Take a boating safety course, watch a safety video, or review the owner/operator manual that came with the boat.

What about calls for boat operator licensing?

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MEMORANDUM

November 29, 1995

TO: Chairman DuWayne Johnsrud

FROM: Roy Montgomery

RE: AB-439

Dear Chairman Johnsrud, attached are marine industry comments and concerns regarding AB-439. We understand that your committee may be dealing with some of these concerns before you take executive action.

As always, we appreciate your attention to the concerns of Mercury Marine and the marine industry.

cc: Representative John Dobyms
Senator Carol Buettner

MEMORANDUM

November 29, 1995

TO: Committee on Natural Resources
ATTN: Chair Representative DuWayne Johnsrud
FROM: Roy T. Montgomery
RE: Mercury Marine and Marine Industry Concerns - Assembly Substitute Amendment, to 1995 Assembly Bill 439

<u>Issue</u>	<u>Section</u>	<u>Page</u>	<u>Line(s)</u>
1. Do not ADD the 100 ft. PWC rule to boats.	30.66(3)(e)	3	11-19
2. Do not add "natural and scenic resources": INVITES ABUSE.	30.77 (3) (a)	11	11-12
	30.77 (3) (am) 1	12	13-14
	30.77 (3) (b)	14	
	30.77 (3) (d)	15-16	25-1
3. Change 50% vote of 60%of shoreline to 80% vote of 90% of shoreline: INVITES ABUSE.	30.77 (3)(ac)2	11	22-23
	30.77 (3)(ae)	12	3-4
	30.77 (3)(am)1,b	12	19-21
	30.77(3)(am)4	13	6-8
4. Leave inconsistent in "contrary to or inconsistent with".	30.77(3)(am)2	13	2
5. Add par.(a) to REFERENCE	30.77(3)(dm)2	16	12

Also, please see following testimony.

NOVEMBER 20, 1995

ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1995 ASSEMBLY BILL 439

MERCURY MARINE AND MARINE INDUSTRY
REMAINING CONCERNS: BY ROY T. MONTGOMERY

ISSUE

APPEARING ON

LINES(S)

PAGE

ISSUE	SECTION	PAGE	LINES(S)
1. DO NOT ADD THE 100 FT. PWC RULE TO BOATS	30.66 (3) (a)	3	11-19
DO NOT ADD "NATURAL AND SCENIC RESOURCES" INQUIRY ABUSE.	30.77 (3) (a)	11	11-12
	30.77 (3) (a.m) 1	12	13-14
	30.77 (3) (b)	14	9-10
	30.77 (3) (d)	15-16	25-1
	30.77 (3) (a.e) 2	11	22-23
	30.77 (3) (a.e)	12	3-4
CHANGE 50% VOTE OF 60% OF SHORELINE TO 80% VOTE OF 90% OF SHORELINE, INQUIRY ABUSE.	30.77 (3) (a.m) 1, b	12	19-21
	30.77 (3) (a.m) 4	13	6-8
LEAVE INCONSISTANT IN "CONTRARY TO OR INCONSISTANT WITH"	30.77 (3) (a.m) 2	13	2
APP PAR. (C) & REFERENCE	30.77 (3) (d.m) 2	16	12

ALSO SEE TESTIMONY ON S.B. 252.

Roy T. Montgomery