

NATIONAL RECREATIONAL BOATING SAFETY (RBS) PROGRAM



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COMMANDANT INSTRUCTION 16751.1

Subj: NATIONAL RECREATIONAL BOATING SAFETY (RBS) PROGRAM

- Ref: (a) The Strategic Plan of the National Recreational Boating Safety Program, National RBS Strategic Plan (uscgboating.org)
(b) Sector Organization, COMDTINST 5401.6 (series)
(c) Maritime Law Enforcement Manual (MLEM), COMDTINST 16247.1 (series)
(d) Auxiliary Manual, COMDTINST 16790.1 (series)
(e) Coast Guard Global Force Management (CG GFM), COMDTINST 3120.4 (series)
(f) Memoranda of Understanding/Agreement, COMDTINST 5216.18 (series)

1. PURPOSE. This Instruction establishes policy for executing the National Recreational Boating Safety Program (National RBS Program). It further describes the Coast Guard RBS responsibilities that are established by statute and regulations and further explained in Titles 33 Code of Federal Regulations (CFR) Subchapter S and 46 U.S. Code (U.S.C.) Chapter 131 S. The Assistant Commandant for Prevention Policy (CG-5P), through the Director of Inspections and Compliance (CG-5PC) and the Office of Auxiliary and Boating Safety (CG-BSX), is responsible for overseeing the National RBS Program. This Instruction provides information to be used by Coast Guard Headquarters, Areas, operational commanders, commanding officers/officers in charge, District Recreational Boating Program Specialists, and Sector and Auxiliary RBS Coordinators in the execution of the National and District RBS Programs.
2. ACTION. All District Commanders, Coast Guard Sector Commanders, Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, chief of headquarter directorates, and Coast Guard Auxiliarists must comply with the policies contained.
3. AUTHORIZED RELEASE. Internet release is authorized.
4. DIRECTIVES AFFECTED. The previous Directive, Federal/State Relations – Recreational Boating Safety, COMDTINST 16750.8B is hereby cancelled.

5. DISCUSSION.
 - a. The National RBS Program encourages greater State (hereafter, “State” refers to the 50 United States, the District of Colombia, and / or the Territories) participation and uniformity in boating safety efforts. The program is based on States assuming the greater share of boating education, assistance, and enforcement activities.
 - b. The scope of the National RBS Program presents communication and coordination issues that are often unique to the region and complex in nature. Therefore, it is necessary to nurture and sustain close collaborative relationships among Coast Guard Headquarters Offices and Districts, the States, and other regional recreational boating organizations and stakeholders. Effective execution of the National RBS program also requires coordination and unity of effort between Coast Guard elements of Prevention, Response, and Public Affairs; the Coast Guard Auxiliary; and the District Recreational Boating Program (RBP) Specialist.
6. DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is itself a rule. It is intended to provide administrative guidance for Coast Guard personnel and is not intended nor does it impose legally binding requirements on any party outside the Coast Guard.
7. MAJOR CHANGES. This Instruction expands upon the Coast Guard’s Recreational Boating Program by detailing its statutory authority to coordinate the National Recreational Boating Program; defines Coast Guard Headquarters, Area, District, Sector, Auxiliary, and States roles and responsibilities; and provides administrative guidance regarding the execution of the Coast Guard Recreational Boating Safety mission.
8. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. The Office of Environmental Management, Commandant (CG-47), reviewed this Commandant Instruction, and the general policies contained within, and determined that this policy falls under the Department of Homeland Security (DHS) categorical exclusion A3. This Commandant Instruction will not result in any substantial change to existing environmental conditions or violation of any applicable federal, state, or local laws relating to the protection of the environment. It is the responsibility of the action proponent to evaluate all future specific actions resulting from this policy for compliance with the National Environmental Policy Act (NEPA), other applicable environmental requirements, and the U.S. Coast Guard Environmental Planning Policy, COMDTINST 5090.1 (series).
9. DISTRIBUTION. Electronic distribution in the Directives System Library. Intranet/Pixel Dashboard: Directives Pubs, and Forms - PowerApps (appsplatform.us) . If Internet released: Commandant Instructions (uscg.mil) , Coast Guard Forms (uscg.mil) .
10. RECORDS MANAGEMENT CONSIDERATIONS. Records created as a result of this Instruction, regardless of format or media, must be managed in accordance with Records & Information Management Program Roles and Responsibilities, COMDTINST 5212.12 (series) and the records retention schedule located on the Records Resource Center Microsoft SharePoint site at: <https://uscg.sharepoint-mil.us/sites/cg61/SitePages/CG-611-RIM.aspx> .

11. FORMS. Boating Accident Report Form (CG-3865). Suggested changes and / or corrections for immediate action may be submitted to USCG.Forms@uscg.mil .
12. REPORTS. Operational Performance Assessment Report (OPAR); the annual Recreational Boating Statistics Report; and the National Recreational Boating Safety Survey.
13. SECTION 508. This policy is created to adhere to accessibility guidelines and standards as promulgated by the U.S. Access Board with consideration of Information and Communications Technology (ICT) requirements. If accessibility modifications are needed for this artifact, please communicate with the Section 508 Program Management Office (PMO) at Section.508@uscg.mil . Concerns or complaints for non-compliance of policy and / or artifacts may be directed to the Section 508 PMO, the Civil Rights Directorate (<https://www.uscg.mil/Resources/Civil-Rights/>) for the Coast Guard, or to the U.S. Department of Homeland Security at accessibility@hq.dhs.gov .
14. REQUEST FOR CHANGES. Units and individuals may formally recommend changes through the chain of command using the Coast Guard Memorandum. Comments and suggestions from users of this Instruction are welcomed. All such correspondence may be emailed to Commandant (CG-BSX-2) at RBSinfo@uscg.mil .

/WAYNE R. ARGUIN/
Rear Admiral, U. S. Coast Guard
Assistant Commandant for Prevention Policy

TABLE OF CONTENTS

CHAPTER 1. RECREATIONAL BOATING SAFETY PROGRAM	1-1
<i>A. National RBS Program Mission Statement</i>	<i>1-1</i>
<i>B. Overview</i>	<i>1-1</i>
<i>C. Sport Fish Restoration and Boating Trust Fund (SFRBTF)</i>	<i>1-1</i>
<i>D. State Grant Funding</i>	<i>1-2</i>
<i>E. Regulations</i>	<i>1-2</i>
CHAPTER 2. MISSION STATEMENT, ROLES, AND RESPONSIBILITIES	2-1
<i>A. Coast Guard Headquarters, Office of Auxiliary and Boating Safety (CG-BSX)</i>	<i>2-1</i>
<i>B. Auxiliary Division (CG-BSX-1)</i>	<i>2-1</i>
<i>C. Boating Safety Division (CG-BSX-2)</i>	<i>2-1</i>
<i>D. Program and Operations Management Branch (CG-BSX-21)</i>	<i>2-1</i>
<i>E. Grants Management Branch (CG-BSX-22)</i>	<i>2-2</i>
<i>F. Recreational Boating Product Assurance Branch (CG-BSX-23)</i>	<i>2-2</i>
<i>G. National Boating Safety Advisory Committee (NBSAC)</i>	<i>2-3</i>
<i>H. Area Command</i>	<i>2-4</i>
<i>I. District Command</i>	<i>2-4</i>
<i>J. District Prevention Division</i>	<i>2-5</i>
<i>K. District RBP Specialist</i>	<i>2-5</i>
<i>L. Sector RBS Coordinator</i>	<i>2-6</i>
<i>M. Auxiliary Recreational Boating Safety Coordinator</i>	<i>2-7</i>
<i>N. State Boating Law Administrators (BLA)</i>	<i>2-8</i>
<i>O. National Association of Boating Law Administrators (NASBLA)</i>	<i>2-8</i>
CHAPTER 3. RECREATIONAL BOATING PROGRAM ADMINISTRATION	3-1
<i>A. The Strategic Plan of the National RBS Program (National RBS Strategic Plan)</i>	<i>3-1</i>
<i>B. Establishment and Oversight of RBS Statutes, Regulations, and Policy</i>	<i>3-1</i>
<i>C. Recreational Boat Manufacturer Compliance</i>	<i>3-1</i>
<i>D. Strategic Planning Direction (SPD), Operational Planning Direction (OPD), and Operational Performance Assessment Report (OPAR)</i>	<i>3-2</i>
<i>E. District Recreational Boating Program Instruction</i>	<i>3-2</i>
<i>F. Recreational Boating Program Operational Tasking (OPTASK) and Information Distribution</i>	<i>3-3</i>

<i>G. Federal / State Recreational Boating Safety Memorandum of Agreement (RBS MOA)</i>	3-3
<i>H. Recreational Boating Program Funding</i>	3-4
<i>I. Coast Guard Sector Recreational Boating Safety Award</i>	3-5

CHAPTER 1. RECREATIONAL BOATING SAFETY PROGRAM

A. National RBS Program Mission Statement.

1. The mission of the National RBS Program is to ensure the public has a safe, secure, and enjoyable recreational boating experience by implementing programs designed to minimize the loss of life, personal injury, and property damage while cooperating with environmental and national security efforts.

B. Overview.

1. Recreational boating is a sport, pastime, and passion that allows the public to enjoy our nation's waterways. Americans participate in boating on motorboats, sailboats, paddle craft / human powered craft (including kayaks, stand up paddle boards, and rowboats), e-foils, jet boards, and other vessel types. The National RBS Program works to facilitate safe and responsible boating, including by executing Reference (a). The Coast Guard, the States, industry, national non-profit public service organizations, and other RBS stakeholders work together to make boating safer.
2. The National RBS Program was developed following the Federal Boat Safety Act of 1971 (FBSA). The FBSA designated the Coast Guard as the coordinator of the National RBS Program. The FBSA provided the authority to establish safety standards for boat construction, improve accident investigations and reporting, and provide financial assistance for state boating safety activities. Today, this program is codified by 46 U.S.C. Chapter 131 thereby reaffirming the authorization and value of this program.
3. The program has achieved noteworthy successes since its creation, with annual boating-related deaths reduced from a high of 1,754 in 1973 to an average of 646 over the last ten years. Over the fifty years that have followed since the Act's enactment, the estimated number of recreational boats has more than doubled, while the number of reported boating incidents has decreased by more than 60%. The program has saved an estimated 90,000 lives.
4. The current National RBS Program is executed through leveraging the collective authorities and resources of many of our partner agencies and organizations. The Coast Guard has partnered with the States to ensure recreational boaters on our Nation's waterways have a safe, secure, and enjoyable experience. This partnership is the keystone to our success and effective communication is critical to RBS mission.

C. Sport Fish Restoration and Boating Trust Fund (SFRBTF).

1. The SFRBTF established by 26 U.S.C. 9504, provides funding to States with approved State recreational boating safety programs and national non-profit RBS organizations. The SFRBTF operates on a "user-pays, user-benefits" model. This means that some of the dollars Americans spend on boating and fishing are taxed and transferred through the U.S. Treasury each year into the SFRBF managed by Commandant (CG-BSX-2). Recreational boaters benefit from the facilities and services provided by the States and

Federal government. In addition to the National RBS Program, these benefits include services such as search and rescue, boating access, fish restocking, and wildlife restoration. The SFRBTF is a non-lapsing appropriation that is reauthorized usually once every five years.

2. The Coast Guard receives about \$130 million annually from the SFRBTF, most of which is allocated to the States to support their RBS programs and some of which is allocated to national non-profit RBS organizations that compete for grant funding to reduce deaths and injuries of recreational boaters.

D. State Grant Funding.

1. A State's eligibility to receive grant monies from the SFRBTF requires approval of the State's Recreational Boating Safety Program as per 46 U.S.C. 13103 and must include:
 - a. A vessel numbering system.
 - b. A Federal / State Recreational Boating Safety Memorandum of Agreement with the applicable Coast Guard District.
 - c. Sufficient patrol and other activity to ensure adequate enforcement of applicable state boating safety laws and regulations.
 - d. A state boating safety education program that includes the dissemination of information concerning the hazards of operating a vessel under the influence of alcohol or drugs.
 - e. A marine casualty reporting system.
2. A listing of States that participate in the RBS grant program can be found at <https://www.nasbla.org/about-nasbla/boating-contacts> .

E. Regulations.

1. The regulations applicable to RBS were first established in the Code of Federal Regulations (CFR) in 1972 with certain updates since. The primary regulations applicable are found in 33 CFR Subchapter S, Boating Safety. The regulations listed below can be accessed directly at <https://www.ecfr.gov> .
 - a. Part 173 Vessel Numbering and Casualty and Accident Reporting.
 - b. Part 174 State Numbering and Casualty Reporting Systems.
 - c. Part 175 Equipment Requirements.
 - d. Part 177 Correction of Especially Hazardous Conditions.
 - e. Part 179 Defect Notification.

- f. Part 181 Manufacturer Requirements.
- g. Part 183 Boats and Associated Equipment.
- h. Part 187 Vessel Identification System.

CHAPTER 2. MISSION STATEMENT, ROLES, AND RESPONSIBILITIES

A. Coast Guard Headquarters, Office of Auxiliary and Boating Safety (CG-BSX).

1. The National RBS Program falls under the purview of the Coast Guard Headquarters Office of Auxiliary and Boating Safety (CG-BSX). Under the direction and supervision of the Assistant Commandant of Prevention (CG-5P) and the Director of Inspections and Compliance (CG-5PC), Commandant (CG-BSX) is responsible for Auxiliary and Boating Safety administrative and operational controls and support.

B. Auxiliary Division (CG-BSX-1).

1. Under the direction and supervision of the Chief, Office of Auxiliary and Boating Safety, the Auxiliary Division (CG-BSX-1) is responsible for the administration and operational program management of the Coast Guard Auxiliary. For such purposes the Chief, Office of Auxiliary and Boating Safety is also referred to as the Chief Director of Auxiliary.

C. Boating Safety Division (CG-BSX-2).

1. The Boating Safety Division (CG-BSX-2), which consists of three Branches, coordinates the National RBS Program and is charged with the important task of making recreational boating safer. Commandant (CG-BSX-2) is responsible for the following:
 - a. Providing programmatic oversight of State boating safety programs.
 - b. Tracking boating incidents and look for correlations among these incidents.
 - c. Ensuring recreational boat manufacturer compliance with Coast Guard safety standards and implementing remedial measures (e.g., recalls).
 - d. Recommending legislation and regulatory development.
 - e. Processing RBS related grants and serve as Grant Technical Manager.
 - f. Providing Federal / State Recreational Boating Safety Memorandum of Agreement guidance, templates, and associated information to Districts.

D. Program and Operations Management Branch (CG-BSX-21).

1. Commandant (CG-BSX-21) is responsible for the following:
 - a. Providing RBS input to the Deputy Commandant of Operations for the Strategic Planning Direction.
 - b. Providing regulation development concerning RBS matters.
 - c. Responding to congressional inquiries.
 - d. Maintaining the Boating Accident Report Database.

- e. Providing recreational boating statistical analysis.
- f. Publishing the annual Recreational Boating Statistics Report.
- g. Coordinating the efforts of the National Boating Safety Advisory Committee.
- h. Publishing the National Recreational Boating Safety Survey.
- i. Monitoring and evaluating nonprofit grant recipients.
- j. Monitoring and evaluating State RBS programs.
- k. Serving as national liaison to other federal and private partners concerning RBS related efforts.
- l. Overseeing the Vessel Identification System and the facilitation of the adoption of preferred mortgages under the Uniform Certificate of Title Act for Vessels.
- m. Coordinating educational and enforcement efforts for RBS statutes, regulations, and policy.

E. Grants Management Branch (CG-BSX-22).

1. Commandant (CG-BSX-22) is responsible for the following:
 - a. Administering grants provided to the States.
 - b. Administering the national non-profit RBS organization grant program.
 - c. Assuring compliance with all pertinent DHS grant policies.
 - d. Providing grant training opportunities to grant applicants and recipients.
 - e. The National boating safety promotion, outreach, and awareness program.
 - f. The National supply of “If Found” decals for paddle craft.
 - g. Management of the Coast Guard Boating Safety website, <https://uscgboating.org> .
 - h. Management of the Commandant (CG-BSX-2) budget.
 - i. Development and execution of The Strategic Plan of the National RBS Program.

F. Recreational Boating Product Assurance Branch (CG-BSX-23).

1. Commandant (CG-BSX-23) is responsible for the following:
 - a. Developing, interpreting and enforcing Federal safety regulations for recreational boats and associated equipment.

- b. Maintaining the recreational boat testing and compliance program.
- c. Issuing Manufacturer's Identification Codes (MICs), which can be viewed at <https://uscgboating.org/content/manufacturers-identification.php> .
- d. Processing requests for exemptions and equivalencies.
- e. Investigating consumer complaints involving alleged recreational boat and associated equipment defects or non-compliance with Federal regulations.
- f. Overseeing defect notification and the recall of recreational boats and associated equipment. Recalls may be viewed at <https://uscgboating.org/content/recalls.php> .
- g. Serving as liaison to recreational boat and associated equipment manufacturers.
- h. Publishing Boating Safety Circulars, which can be viewed at <https://uscgboating.org/content/boating-safety-circulars.php> .
- i. Coordinating educational and enforcement efforts for RBS statutes, regulations, and policy.
- j. Serving on technical committees of voluntary standards development organizations to maintain consistency with federal regulations.

G. National Boating Safety Advisory Committee (NBSAC).

1. NBSAC was established on December 4, 2018, by section 601 of the Frank LoBiondo Coast Guard Authorization Act of 2018. This authority is codified in 46 U.S.C. 15105. The Committee operates under the provisions of the Federal Advisory Committee Act in addition to the administrative provisions for National Maritime Transportation Advisory Committees in 46 U.S.C. 15109. The Committee provides advice and recommendations to the Secretary, DHS through the Coast Guard and the Coast Guard Director of Inspections and Compliance. Commandant (CG-5PC) is the NBSAC Coast Guard Headquarter sponsor, and the Chief, Commandant (CG-BSX-2) is NBSAC's Designated Federal Officer.
2. Many Offices assist in executing the National RBS Program mission and responsibilities including:
 - a. Office of Boat Forces (CG-731).
 - b. Office of Commercial Vessel Compliance (CG-CVC).
 - c. Office of Design and Engineering Standards (CG-ENG).
 - d. Office of Law Enforcement Policy (CG-MLE).
 - e. Office of Investigations (CG-INV).

- f. Office of Navigation Systems (CG-NAV).
 - g. Office of Search and Rescue (CG-SAR).
3. Given the role these Offices play in accomplishing The Strategic Plan, Reference (a), of the National RBS Program, they will provide representation at meetings of the NBSAC when requested by Commandant (CG-BSX). These Offices will also work closely with Commandant (CG-BSX) to ensure regulations, policy, and requirements allow for adequate development of training material for the boating public and law enforcement agencies.

H. Area Command.

1. Area commands are responsible for supplementing the Deputy Commandant of Operations Strategic Planning Direction by providing applicable RBS input to the Area Operational Planning Direction. Area also supports public affairs messaging of the National RBS Program.

I. District Command.

1. The National RBS Program is a Prevention-based program. However, at each District, execution of the program spans across District Prevention, Auxiliary, Response, and Public Affairs, which makes collaboration essential for a successful District RBS program. The District Recreational Boating Program (RBP) Specialist (also known as the Recreational Boating Safety Specialist) serves as the District RBP mission / program manager and therefore District Division Chiefs shall maintain a working relationship and consult the District RBP Specialist on all matters related to recreational boating.
 - a. Commandant (CG-BSX-2) is responsible for the administrative and programmatic oversight of the National RBS Program. The operational aspects of the National RBS program are executed at the district level and managed by the District RBP Specialist. The Commandant (CG-BSX-2) staff and District RBP Specialists function collaboratively with all Federal, State, and organizational partners to ensure all administrative and operational requirements are met to foster a successful National and District RBS Program.
2. District Command Centers have a critical role in providing the District RBP information pertaining to recreational boating incidents. District Command Centers shall notify the District RBP Specialist, as early as practical, when significant Law Enforcement and Search and Rescue (SAR) incidents involving a recreational boater is initiated. For the purposes of this Instruction, significant Law Enforcement and SAR incidents include but are not limited to:
 - a. Law Enforcement. A Coast Guard Boarding resulting in Boating Under the Influence (BUI), including BUI hand-offs to State or law enforcement agencies.

- b. Search and Rescue (SAR). Incident, Notification, or any recreational boating incident resulting in death, missing person, injury beyond first aid, total loss of a vessel, any incident in which the media or the recreational boating public may take interest.

J. District Prevention Division.

- 1. The District Prevention Division provides administrative support and broad policy direction concerning overall priorities and objectives with the Prevention Division, including the RBP. Within the Division, the RBP Specialist is the primary subject matter expert for the RBP.

K. District RBP Specialist.

- 1. The District RBP Specialist is the program manager and principal advisor for all matters involving recreational boating for the District Commander. The RBP Specialist plans, organizes, directs, operates, and evaluates the District's SAR prevention program, specifically as it pertains to recreational boating. The RBP Specialist has extensive knowledge of boating safety issues; federal and state boating laws and regulations; and principles, methods, and practices in developing and implementing new approaches to the most difficult and complex problems of boating safety in various regions within the district. The RBP Specialist understands the operational methods and principles of SAR, maritime law enforcement, and public affairs and media relations, and is the primary representative of the District Commander and in that role is the liaison to Commandant (CG-BSX-2), State Boating Law Administrators, and other leaders of national boating safety organizations. Additionally, the District RBP Specialist has extensive knowledge of national and regional recreational boating issues. The District RBP specialist general responsibilities include but are not limited to the following:
 - a. Maintaining Federal / State RBS Memorandums of Agreement.
 - b. Serving as District RBP Program / Mission Manager and principal advisor for all matters involving recreational boating.
 - c. Coordinating with District staff, Sectors, Coast Guard operational units, and Auxiliary to provide oversight and program direction for the National and District RBP mission.
 - d. Developing, maintaining, providing guidance, monitoring, and evaluating the execution of the District's RBP mission, objectives, initiatives, and activities.
 - e. Analyzing recreational boating incident data and providing feedback to Coast Guard and other relevant agencies and organizations regarding trends and issues.
 - f. Serving as liaison to Commandant (CG-BSX-2), Boating Law Administrators, and other leaders of national and regional recreational boating organizations.
 - g. Attending national and regional RBS-related meetings, workshops, conferences, and events.

- h. Developing partnerships, fostering collaboration, and ensuring communications among stakeholders via workshops, trainings, newsletters, virtual and in-person meetings and other equivalent events.
- i. Providing RBP training to Sector and Auxiliary RBS Coordinators.
- j. Serving as the District RBP Mission Manager regarding Strategic Planning Direction, Operational Planning and Resources, and Operational Planning Direction.
- k. Operations permitting, assisting Commandant (CG-BSX) in conducting State RBS Program Reviews.
- l. Providing RBS subject matter expertise to the District, Sectors, Field Units, Auxiliary and other Federal, State, and local organizations, and agencies on RBS matters.
- m. Collaborating with District Enforcement regarding recreational boating enforcement including BUI law enforcement efforts.
- n. Serving as District coordinator for NASBLA's annual boating under the influence campaign, Operation Dry Water.
- o. Collaborating with District Public Affairs regarding recreational boating public outreach efforts.
- p. Collaborating with Commandant (CG-BSX) regarding annual review of Command Center QRCs.
- q. Collaborating with District Director(s) of Auxiliary to ensure Auxiliary RBS activities align with National and District RBS Program objectives.
- r. Advising applicable District staff elements of potentially controversial issues regarding recreational boating issues.
- s. Reviewing and providing input to The Strategic Plan of the National RBS Program.

L. Sector RBS Coordinator.

- 1. Per Reference (b), the Sector Prevention Department Head is responsible for Sector missions relating to preventing maritime casualties and incidents. The Sector Commander shall establish a Sector RBS Coordinator for the responsibilities listed below. This collateral duty shall be assigned to any Sector Officer, Warrant Officer, MCPO, SCPO, or CPO capable and empowered to coordinate complex tasks involving multiple Sector, field unit, Auxiliary, and marine partners. The Sector RBS Coordinator responsibilities include but are not limited to the following:
 - a. Consulting with and reporting RBS matters to the Sector Prevention Department Head.
 - b. Maintaining a direct line of communication with the District RBP Specialist.

- c. Serving as the Sector's primary advisor regarding RBS matters.
- d. Collaborating with other Sector Department Heads, the Auxiliary Liaison Officer, and field units regarding RBS matters.
- e. Ensuring Sector Staff, Command Center, field units, Auxiliary, and other personnel assigned to duties affecting the boating public are familiar and comply with the contents of Federal / State RBS Memorandum of Agreements.
- f. Consulting with the District RBP Specialist prior to entering into supplemental RBS agreements to ensure there is no conflict with Federal / State RBS Memorandum of Agreements.
- g. Disseminating RBS information and guidance to Sector field units.
- h. Notifying the District RBP Specialist of Sector-specific RBS operations.
- i. Ensuring Coast Guard response units provide a Boating Accident Report Form (CG-3865) or State equivalent to boaters involved in a reportable boating incident.
- j. Ensuring Sector Law Enforcement units are educating mariners on the proper and safe practices associated with operating vessels as required by Reference (c).
- k. Attending, as required, RBS related meetings / workshops / outreach activities with or on behalf of the District RBP Specialist.

M. Auxiliary Recreational Boating Safety Coordinator.

1. Per Reference (d), the District Commodore shall establish an Auxiliary RBS Coordinator (RBSC). This role may be assigned to: a District Staff Officer (DSO) for the Vessel Exams (VE), RBS Program Visitor (PV), Public Education (PE), or Public Affairs (PA) programs; an Assistant DSO (ADSO) in one of those programs (e.g., ADSO-VE-RBSC); the State Liaison Officer (SLO) or Legislative Liaison Officer (LLO); or a District Directorate Chief for Prevention (DDC-P-RBSC). The Auxiliary RBS Coordinator should possess the Auxiliary Recreational Boating Safety Insignia. The Auxiliary RBS Coordinator's responsibilities include but not limited to:
 - a. Serving as the Auxiliary District Commodore's primary representative and advisor regarding all RBS matters.
 - b. Maintaining a direct line of communication with the District RBP Specialist.
 - c. Notifying the District RBP Specialist of Auxiliary-specific RBS operations and outreach initiatives.
 - d. Collaborating with other Auxiliary District Staff Officers (DSO), specifically VE, PE, PV, SLO, LLO, and PA DSOs regarding RBS matters.
 - e. Disseminating RBS information / guidance to Auxiliary leadership and general

membership.

- f. Attending applicable RBS meetings with the District RBP Specialist.

N. State Boating Law Administrators (BLA).

1. Each State designates a lead authority or agency that will carry out or coordinate carrying out its State RBS program supported by the National RBS Program. The person tasked with that responsibility is referred to as the BLA. The BLA is the primary point of contact within the designated State authority or agency for all elements of the State RBS program. The BLA is the person through which all agreements related to the RBS Grant Program are administered, including the Federal / State RBS MOA between the State and the cognizant District Commander.

O. National Association of Boating Law Administrators (NASBLA).

1. NASBLA is the national association of State authorities designated with coordinating the National RBS program in each state. NASBLA addresses its mission by fostering partnerships among and between the states, Coast Guard, and others; crafting model boating laws; maintaining national education and training standards; providing members with critical knowledge and skills; and advocating for the needs of the State boating programs before Congress and Federal agencies. The Association promotes boating safety by providing a medium for the exchange of views and experiences, by fostering interstate and Federal / State cooperation and coordination in boating safety problems, by promoting greater uniformity in laws and regulations, by increasing efficiency in administration and enforcement of boating laws and regulations, and, to the extent feasible and desirable, by promoting a consensus of State views on any subject within the purview of the Association. The Coast Guard is represented at the annual NASBLA Conference by personnel from Commandant (CG-BSX), but representation from the Coast Guard Districts is essential to ensure a close working relationship between the States and Districts. When possible, the applicable District Commander is encouraged to attend.
2. The Coast Guard has a Memorandum of Understanding (MOU) with NASBLA that sets forth terms by which the NASBLA and the Coast Guard will strive to provide recreational boaters the benefits available through both organizations. The Coast Guard signature authority for the MOU is Commandant (CG-5P) and is updated every five years. Among the Coast Guard responsibilities included in the MOU is that the Coast Guard will participate with NASBLA's seven policy committees.
 - a. Education and Outreach.
 - b. Enforcement and Training.
 - c. Engineering, Reporting, and Analysis.
 - d. Finance and Grants.

- e. Paddle sports.
 - f. Vessel Identification, Registration, and Titling.
 - g. Waterways Management.
3. The Coast Guard also has a MOU with NASBLA regarding their Boat Operations and Training (BOAT) Program that sets forth terms by which NASBLA and the Coast Guard will provide personnel, policies, and programs to maintain the BOAT program as the National Standard. This program is designed to enhance the active relationship between the Coast Guard, NASBLA and State, Local, County and Tribal Maritime law enforcement officers and rescue personnel, by providing a Coast Guard recognized standard for maritime boat training, competency achievement, credentialing, and currency maintenance. The Coast Guard signature authority for the MOU is Commandant (CG-7) and is updated as necessary. Commandant (CG-731) and Commandant (CG-BSX-2) have a seat on NASBLA's BOAT Advisory Panel.

CHAPTER 3. RECREATIONAL BOATING PROGRAM ADMINISTRATION

A. The Strategic Plan of the National RBS Program (National RBS Strategic Plan).

1. National RBS Strategic Plan, Reference (a), is developed for a five-year period and approved by Commandant (CG-BSX). The plan is organized by initiatives, and, under each initiative, by courses of action and activities. Input for the National RBS Strategic Plan comes from the NBSAC, the Coast Guard, national non-profit RBS organizations, the public, and other RBS stakeholders. The National RBS Strategic Plan is dynamic; and once approved, it can be modified by Commandant (CG-BSX). The current version of Reference (a) is posted at <https://uscgboating.org/content/strategic-plan.php>.

B. Establishment and Oversight of RBS Statutes, Regulations, and Policy.

1. Commandant (CG-BSX) will continually review State boating laws and regulations to ensure compliance with Federal requirements. With certain exceptions, 46 U.S.C. 4306 preempts State laws that establish recreational vessel or associated equipment performance or other safety standards or impose requirements for associated equipment that are not identical to regulations prescribed under 46 U.S.C. 4302. 46 U.S.C. 4306 permits States to regulate the use or carrying of marine safety articles if there is a uniquely hazardous condition or circumstance within the State and Commandant (CG-BSX) does not object to that regulation.
2. Absent a uniquely hazardous condition, 46 U.S.C. 4305 allows Commandant (CG-BSX) to waive preemption to permit State regulations of recreational vessel safety when Commandant (CG-BSX) determines that recreational vessel safety will not be adversely affected by the regulations. Commandant (CG-BSX-2) will advise the States in writing of any discrepancies in their laws, specifically identifying those portions that are subject to 46 U.S.C. 4306 and those areas that might make the States ineligible for Federal financial assistance. A copy of such correspondence shall be forwarded to the cognizant District Commander(s).
3. New requirements affecting recreational boaters are established through statutes, regulation, and policy. On occasion, State law enforcement agencies, manufacturers or other interested parties will ask the Coast Guard if a particular device qualifies as a vessel within the meaning of governing Federal law, 46 U.S.C. 115 and 1 U.S.C. 3. All vessel determination letters are posted on the Commandant (CG-BSX) website, <https://uscgboating.org/regulations/vessel-determinations.php>.

C. Recreational Boat Manufacturer Compliance.

1. Commandant (CG-BSX-23) is responsible for recreational boat manufacturer compliance with Coast Guard safety standards and administers the Recreational Boat Testing and Compliance Program (RBTCP) to accomplish this mission. Under the RBTCP, the Coast Guard inspects boats under construction at manufacturer's factories and tests boats for compliance with flotation requirements.

2. Commandant (CG-BSX-23) may coordinate with the applicable District RBP to gather information about a boating incident that involved a mechanical failure that was responded to by a local Coast Guard unit or state or local authorities.
3. Commandant (CG-BSX-23) can provide technical support to Officer in Charge, Marine Inspections (OCMI) or state or local authorities on casualties involving recreational boats. This technical support could range from engineering expertise to manufacturer contact information to laboratory testing of components. For technical support requests, please contact the Chief, Commandant (CG-BSX-23) at rbscompliance@uscg.mil .
4. Commandant (CG-BSX-23) issues MICs and is the Coast Guard's authority on Hull Identification Numbers. For inquiries related to either topic, please send an email to micapp@uscg.mil .

D. Strategic Planning Direction (SPD), Operational Planning Direction (OPD), and Operational Performance Assessment Report (OPAR).

1. District RBP Specialists and Sector RBS Coordinators must understand and actively participate in the Coast Guard's standardized operational policy and planning process, which is crucial for effective mission management. Per Reference (e), this process is to ensure effective alignment and translation of the Deputy Commandant of Operations (DCO) long-range strategic intent to mission execution at the operational level. Annually, DCO provides strategic planning prioritization guidance to Area Commanders via the SPD. Area Commanders then provide direction to Districts via the Area OPD. In turn, Districts provide direction to Sectors via the District OPD. Each echelon of the chain of command promulgates mission goals, objectives, standards, and performance targets to operating units with an increasing level of focus and detail. Sectors, the operational end users, ensure its operational units execute the mission and utilize the quarterly OPAR to provide a quarterly assessment of operations, mission performance, resources expended, capability gaps, and recommendations to improve operational planning and effectiveness back up the chain of command.

E. District Recreational Boating Program Instruction.

1. District performance in meeting the National and District RBS Program mission is enhanced by the development of a District RBS Program Instruction. Districts shall develop a District RBS Program Instruction that should include, but not limited to, the following:
 - a. District specific duties of the District RBP Specialist.
 - b. District specific administration of the Federal / State RBS Memorandum of Agreements.
 - c. District specific duties of Sector and Auxiliary RBS Coordinators.
 - d. District specific RBS Objectives.

- e. District participation expectations in National and District specific RBS operations, Campaigns, and Initiatives.
- f. District Specific RBS Award and Recognition program.

F. Recreational Boating Program Operational Tasking (OPTASK) and Information Distribution.

1. In addition to a District Instruction and OPD and OPAR guidance, the District RBP Specialist should utilize established methods of disseminating recreational boating program tasking and information to district units and the public. OPTASKs for Coast Guard operations provides expectations, tasking guidance, and other relevant operational information. Marine Safety Information Bulletins, Public Service Announcements, official Coast Guard social media sites, and other approved methods should be utilized to disseminate non-classified recreational boating information to the public.

G. Federal / State Recreational Boating Safety Memorandum of Agreement (RBS MOA).

1. To ensure an effective National and District RBS Program it is necessary that a close relationship be established and maintained between the Coast Guard and the States. Additionally, to be eligible to receive Federal financial assistance under the RBS Grant Program, a State must have an RBS MOA with the Coast Guard. The District Commander, through the District RBP Specialist, is the primary Coast Guard contact with the designated State BLA. The purpose of the RBS MOA is to define the relationship between the State and the Coast Guard in the conduct of RBS programs and enforcement on waters within the concurrent jurisdiction of the State and the United States. The agreement establishes State and Coast Guard responsibilities regarding:
 - a. Law Enforcement.
 - b. Boating Under the Influence.
 - c. Public Education and Training.
 - d. Information Sharing.
 - e. Boating Incident Notification, Investigation, and Reporting Responsibilities.
 - f. Search and Rescue.
2. Commandant (CG-BSX-2) will provide each District, through the District RBP Specialist, a CG Memorandum containing additional RBS MOA guidance, templates, and associated information necessary to develop, maintain, and comply with 46 U.S.C. 13109 and Reference (f) requirements. A copy of the memorandum will be filed with the District RBP Specialist. Contact the District RBP Specialist or CG-BSX-2 to obtain a copy of the current memorandum.
3. If a State is located within more than one Coast Guard District, coordinate and negotiate

the development of agreements with other District Commanders and furnish the appropriate District Commander(s) a copy of each completed agreement. Only the cognizant District Commander shall be the signatory for the RBS MOA. The cognizant District Commanders:

- a. First Coast Guard District: CT, ME, MA, NH, NY, RI, VT.
 - b. Fifth Coast Guard District: DE, MD, NJ, NC, PA, VA, DC.
 - c. Seventh Coast Guard District: FL, GA, SC, PR, VI.
 - d. Eighth Coast Guard District: AL, AR, CO, IL, IN, IO, KS, KY, LA, MS, MO, NE, NM, ND, SD, OK, TN, TX, WV, WY.
 - e. Ninth Coast Guard District: MI, MN, OH, WI.
 - f. Eleventh Coast Guard District: AZ, CA, NV, UT.
 - g. Thirteenth Coast Guard District: ID, MT, OR, WA.
 - h. Fourteenth Coast Guard District: HI, GU, CNMI, AS.
 - i. Seventeenth Coast Guard District: AK.
4. Coast Guard programs not directly related to RBS shall not be made part the RBS MOA.
 5. Provisions for a biennial review of these RBS MOAs are necessary to ensure they are current. District RBP Specialists shall complete biennial reviews on behalf of the District Commander that contain formatting, administrative and non-substantive changes to the MOA.
 6. The district servicing legal office shall review RBS MOAs that contain substantive changes and / or RBS MOA renewals before finalization.
 7. Sector Commanders are authorized to enter into supplementary agreements with local jurisdictions provided these agreements do not conflict with the RBS MOA. A copy of such agreements shall be filed with the District RBP Specialist.
 8. The District RBP Specialist shall be consulted regarding any questions or concerns related the RBS MOA.

H. Recreational Boating Program Funding.

1. Districts should provide an adequate budget to support its recreational boating safety program. The RBP Specialist shall develop and administer a budget for the District's RBP. The RBP Specialist work requires extensive travel by both automobile and commercial carrier. Most travel consists of participating in conferences, seminars, meetings, on-site visits to Coast Guard units, state facilities, and other marine / recreational boating facilities. Other related expenses include fees to participate in

commercial outreach events, facilitate recreational boating meetings and workshops, and to purchase necessary items to support the District's RBP objectives.

I. Coast Guard Sector Recreational Boating Safety Award.

1. This annual award recognizes the Coast Guard Sector that demonstrated sustained superior performance in the coordination, promotion, and execution of the National RBS Program during the previous calendar year.
2. The award recipient will receive:
 - a. Office of Auxiliary and Boating Safety Burgee / Pennant for Sector to fly / display.
 - b. The Sector's name inscribed on a perpetual plaque permanently displayed at Coast Guard Headquarters Office of Auxiliary and Boating Safety.
3. Award Criteria. The award recipient will be the Sector that possess the strongest combination of:
 - a. RBS operations.
 - b. RBS outreach.
 - c. RBS unity of effort.
4. Nominations and Selection. The nominations and selection process will adhere to the following:
 - a. January of each year Commandant (CG-BSX-2) will release an ALCOAST to solicit nominations and provide submission guidance.
 - (1) Nominations must include a one-page narrative of the Sector's outstanding RBS performance and achievements during the period of 1 January to 31 December of the previous year.
 - b. March of each year Commandant (CG-BSX-2) will convene an Award Selection Panel. The award selection panel will consist of representatives from Commandant (CG-BSX), Commandant (CG-5P), DCO, Areas and / or Districts.
 - c. April of each year the Award Selection Panel will forward its recommendation to Commandant for approval.
5. Award Presentation.
 - a. May of each year, in proximity to National Safe Boating Week, Commandant (CG-BSX) will announce the award recipient via an ALCOAST.
 - b. DCO or Commandant (CG-5P) will present The Office of Auxiliary and Boating Safety Burgee / Pennant to the award recipient at the annual NASBLA Conference.

- (1) Travel expenses for the Sector representative to receive the award at the annual NASBLA conference will be funded by Commandant (CG-BSX-2).