



National Association of State Boating Law Administrators Policy Position to Encourage the States to Increase Boating Under the Influence Patrols, Details and Selective Enforcement Efforts

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Committee: Enforcement and Training Committee

Background

Law enforcement officers across the nation who have marine law enforcement responsibilities generally have multiple jurisdictions from small creeks to rivers, commercial canals, lakes, the Great Lakes, and thousands of miles of coastal waters. These officers perform tasks from serious boating accident investigations to routine patrols, from search and rescue/recovery missions to arrests and routine issuance of citations to boat operators for myriad boating violations. Policing more than 13 million recreational boats across the United States involve violations ranging from carriage requirements and registration violations to boating under the influence and other violations involving “rules of the road.”

Every year, the U.S. Coast Guard compiles statistics on reported recreational boating accidents. These statistics are derived from accident reports that are filed by the owners / operators of recreational vessels involved in accidents. The fifty states, five U.S. territories and the District of Columbia submit accident report data to the Coast Guard for inclusion in the annual Boating Statistics publication. Alcohol use is the leading contributing factor in fatal boating accidents, accounting for nearly twenty-one (21) percent of all reported fatalities. According to the U.S. Coast Guard boat accident statistics of 2007 alcohol use reported as a contributing factor in a boating accident implies that the use of alcohol by a boat’s occupants (i.e., operators and/or passengers), was a direct or indirect cause of the accident. Historically, the reporting of alcohol involvement in recreational boating accidents has been lower than expected. Beginning in 1987, the recommended Boating Accident Report (BAR) form contained a block for indicating the involvement of alcohol. Obviously, operators are not motivated to report themselves as having had alcohol before a boating accident occurred. In most cases, there is not enough data available to provide the level of impairment. Higher accident figures for some states may be an indication of better reporting in those states rather than a more serious problem of higher alcohol involvement in boating accidents.

One of the objectives identified by the USCG Office of Boating Safety in the National Recreational Boating Safety Strategic Plan is Objective 6.5 which states “Encourage the States to increase their law enforcement patrols that target BUI violators through the purchase of: 1. mobile command centers with preliminary and evidentiary breath testing equipment, and 2. Vessels and equipment for officers’ use during enforcement details targeting BUI violators.” The NASBLA state members each presently participate in BUI patrols and utilize some form of breath testing equipment.

National Association of State Boating Law Administrators Policy

The National Association of State Boating Law Administrators (NASBLA) endorses, supports and encourages the need to expand BUI patrols in each state and territory. NASBLA also encourages state members to utilize RBS funds to use the latest equipment, technology and training to increase BUI directed patrols and for state members to unite and perform joint details on states' shared waters. NASBLA will support the use of various techniques identified in the NASBLA Enforcement and Training Committee and will continue to encourage the utilization of the most up-to-date breath testing technology available. NASBLA supports the National Recreational Boating Safety Strategic Plan, Objective 6.5, and will continue encouragement of the states' membership to satisfy the performance goal to reduce recreational boating casualties through BUI enforcement.

Policy References

1. NASBLA's website at <http://www.nasbla.org>
2. National Recreational Boating Safety Program Strategic Plan
3. NASBLA Enforcement and Training Committee references
4. 2006 USCG Accident Statistics report
5. USCG Navigational Rules