



NEW YORK STATE SENATOR

David Carlucci

## Carlucci, Galef Urge Governor Cuomo to Sign Comprehensive Boating Safety Package into Law

DAVID CARLUCCI June 27, 2013

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**OSSINING, NY** – Senator David Carlucci (D-Rockland/Westchester), Assemblywoman Sandy Galef (D-Westchester/Putnam), and other state and local officials today joined forces to urge the Governor to sign their legislation that will fundamentally change the way boating safety is implemented in New York State. With summer finally here, the two state legislators were able to pass their bill through both chambers of the state legislature last week. The effort is designed to educate individuals who currently do not possess boating knowledge to help

prevent tragedies from unfolding, as was the case last summer in Long Island and along the Hudson River.

Their bill (**A.3471-A/S.1639-A**) requires all mechanically propelled vessel operators to obtain a boating safety certificate by completing an eight hour safe boating course. The requirement would be implemented through a multiyear phase-in beginning in 2014 with 18 year olds.

This legislation would help eliminate the dangers of boating often attributed to inexperience by requiring boat operators to take a course and become aware of all safety and legal aspects of operating a boat.

**Senator David Carlucci said:** "This legislation will ultimately save lives and protect our waterways by bringing New York's boating laws into the 21<sup>st</sup> century. This has been a long and emotional journey for the family of Bryan Johnson and the countless advocates who believe more must be done to prevent future tragedies from occurring in the first place. New York will now be among the leaders across the nation who understand the dangers of operating a vessel without proper training."

**Assemblywoman Sandy Galef said:** "This bill is a win for those of us advocating for safer waterways. New York State is one of the largest recreational boating states in the country, and I am thrilled, and relieved that this piece of legislation will enhance the secure use and enjoyment of our state's scenic waterways. It took a lot of advocacy to get the bill passed in both houses, and we will need to continue that advocacy to the governor until he signs it into law."

**Assemblyman Thomas Abinati said:** "Safe boating requires skill that must be learned and practiced. Boating without the proper instruction is dangerous to the boater and everyone else on the water."

**Ossining Town Supervisor Sue Donnelly said:** “Responsible adults, especially parents, should always make sure that they and the young people they are responsible for get proper training and understand boating safety. This law makes it official, and we want to thank the NYS legislature and especially these elected officials for seeing it through. But outside of legislation, common sense tells us that we need to educate all of our loved ones on the importance of responsibility for their own well being, and the safety of others on the water, no matter what kind of vessel they are using.”

Family members of Bryan Johnson, the young victim who tragically lost his life in a boating prank off of City Island last year, also joined in a somber ceremony to mark the one year anniversary of his passing. The Town of Ossining recently passed a Town Board resolution renaming the Ossining Boat Ramp the *Bryan J. Johnson Memorial Boat Ramp*. A colorful banner will be hung throughout the summer that pays tribute to the memory of Bryan Johnson, too.

Currently, New York State has comparatively lax requirements relating to boating safety certificates. Children between the age of 10-18 must have a boating safety certificate in order to operate a mechanically propelled vessel unaccompanied. In addition, those age 14 and older must hold a boating safety certificate in order to operate a personal watercraft. These certificates are generally issued by the New York State Department of Parks and Recreation, the U.S. Coast Guard Auxiliary or the U.S. Power Squadron.

New York also lags regionally in comparison to neighboring states when it comes to the level of boating safety requirements that exist. Many tougher provisions already exist for Connecticut, Massachusetts, New Jersey, Ohio, Pennsylvania, Vermont as well as Canada. The problem exists naturally when many New Yorkers utilize the same waters as other state residents who have much more experience with operating a boat than they do themselves.

**A host of new education requirements come into effect with the Galef/Carlucci bill. These include:**

- Requiring that no person born on or after May 1, 1996 may operate a mechanically propelled vessel on the navigable waters of the state, including tidewaters on or lying within boundaries of Nassau and Suffolk counties unless they hold a boating safety certificate.
- Boating safety certificates will be issued by the Commissioner of Parks, Recreation and Historic Preservation, the U.S. Power Squadrons or the U.S. Coast Guard Auxiliary. The Commissioner also has existing authority, through regulation, to designate others who are authorized to issue such certificates. Authority is also granted to Parks, Recreation and Historic Preservation to develop online courses for boaters to take.
- The bill preserves the existing law for someone who is at least ten years old to operate a mechanically propelled vessel unaccompanied, provided they hold a certificate.
- A person who is younger than 18 years of age may operate a mechanically propelled vessel without a boating safety certificate, provided they are accompanied by at least one person at least 18 years of age who is either the holder of a boating safety certificate or is not required to hold a boating safety certificate.
- The bill provides a grace period of 120 days for people who purchase a vessel, and are otherwise required to hold a boating safety certificate, to operate such a vessel without a certificate.
- The bill also provides that a livery may lease, hire or rent a mechanically propelled vessel to someone who does not hold a boating safety certificate provided they are at least 18 years-of-age, and the vessel is not leased, hired or rented to the same person for more than 60 days.

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