

PUBLIC INFORMATION AND LEGISLATION

PUBLIC INFORMATION

The Public Information Office performs a critical role in boating safety education, by responding to telephone inquiries from both the public and the news media, as well as distributing written and audio-visual public information products.

Since 1996, Cal Boating has maintained a Website on the Internet, www.dbw.ca.gov, offering news and information on boating safety and education, boating law, and the Department and its programs. From the Department's Homepage, coastal boaters and surfers can also access the Coastal Data Information Program page, and see real-time wave height data for the Southern California coast and other weather and climate information. Website visitors can also find out about two-stroke engine regulations, and other local boating restrictions, and link to information on boating facilities, weather, where to take a boating safety class, locating a marina, and more. The Department e-mail address is pubinfo@dbw.ca.gov.

The Department also takes advantage of Department of Motor Vehicles mailings to boat owners by including informational inserts with vessel reg-

istration materials. During this biennium—the first since DMV converted to a two-year registration scheme—the Department sent registration inserts on the topics of new boating laws, invasive plants and animals, energy conservation, and Cal Boating's free home study boating safety course.

During this biennial period, Cal Boating produced a 5-minute boating safety video and a 30-second public service announcement on life jacket safety. The PSA shows the Drowning Accident Rescue Team (a non-profit, all volunteer organization funded completely by donations and grants) responding to a boating accident. The PSA was distributed to approximately 100 television stations statewide. Both are viewable, along with other Department PSAs, on topics including keeping a sharp lookout, wearing life jackets, and the dangers of consuming alcohol while boating, on the Department's Website.

Cal Boating publishes 60 free boating safety publications. Between 2000 and 2002, more than 2 million copies of these publications were distributed to the public. In 2002, the Department participated for the first time in an Office of State Publishing program to include paid advertisements to offset the costs of printing. The Department's most widely distributed publication, the comprehensive *ABCs of the California Boating Law* is also its most costly publication. The Department saved 20% on the cost of printing this publication which was then available to pay the costs of printing other publications. In 2002, as part of its mandate under the Recreational Trails Act, the Department published a new pamphlet, *A Boating Trail Guide to the Trinity River*. This map guide to the river and its boating



amenities was a cooperative effort between Cal Boating, and the U.S. Forest Service.

Also during this biennium, Cal Boating revived two popular boating trail guides to the Colorado River. *A Boating Trail Guide to Colorado River, Davis Dam to Parker Dam* and *A Boating Trail Guide to Colorado River from Blythe to Imperial Dam*. Each guide provides a map of the river and information on safety and access, as well as information on local regulations, history and activities such as fishing and camping.

The Public Information Unit also updated two existing publications. The map guide, *A Boating Trail Guide to the Sacramento River from Redding to Red Bluff*, now includes a popular 25-mile stretch of the river from Red Bluff to Woodson Bridge, and has been retitled "...from Redding to Woodson Bridge." Along with *A Boating Trail Guide to the Sacramento River, Woodson Bridge to Colusa*, the guides now provide boaters with information on a continuous stretch of the Sacramento from Redding to Colusa. The pamphlets, *Safe Boating Hints for Lake Tahoe* and *A Consumer's Guide to Lake Tahoe* were combined, with environmental information to create the new publication, *Boating Safety and Environmentl Hints for Lake Tahoe*.

During this biennium, the Public Information Office prepared and distributed 25 news releases concerning boating safety, Boating and Waterways Commission approval of boating facility projects, safety events, and other relevant boating news.

Boating safety films, videos and slide presentations are available on a loan basis at no cost to parties interested in boating safety. The 60 titles in this library cover subjects ranging from rescue procedures to general water safety.

LEGISLATION

The Department worked closely with State legislators, Senate and Assembly committee staff, representatives of boating organizations, and other State agencies on several important legislative issues. The following bills went into effect during this biennial period:

AB 2005 (Nakano) – **Boating Safety**. Sponsored by the Department, adds certain moving violations to existing law that requires vessel operators to pass a boating safety course if convicted of specified moving violations. The bill makes the nighttime-prohibition hours for personal watercraft operation the same as for water skiing (sunset to sunrise), instead of one-half hour after sunset and one-half hour before sunrise. AB 2005 also excludes diveboard users from existing life jacket requirements.

AB 2119 (Leach) – **Yacht Brokers**. Requires that an applicant for a broker's license possess a good working knowledge and understanding of the principles of the yacht brokerage business and has not been cited for a violation of the Yacht and Ship Brokers Act within the preceding two years.

AB 2538 (Brewer) – **Life Jackets**. Sponsored by the Department, requires a person under 12 years of age aboard underway vessels less than 26 feet, with exceptions, to wear a Coast Guard approved life jacket. Requires a person aboard a personal watercraft, or being towed behind a vessel, to wear a Coast Guard approved life jacket, with exceptions. Changes the definition of "personal watercraft" to mean a vessel 13 feet in length or less, as specified.

SB 1967 (Kelley) – **Yacht Brokers.** Sponsored by the Department, adds language to the Corporations Code to exclude limited liability companies from providing professional services as yacht brokers and salespersons under the Yacht and Ship Brokers Act. Allows the Department to deny an application or suspend or revoke a license for negligence or incompetence, failure to exercise reasonable supervision over a salesperson, failure to act in accordance with fiduciary duty toward a principal, dishonesty, or a violation of Department regulations.

Requires a broker to provide full disclosure to the principals, with their written consent, when the broker acts for both the buyer and seller.

SB 197 (Chesbro) – **Marina Electrical Inspection.** Requires that each marina developed or improved with funds loaned by the Department, on or after January 1, 2002, have its electrical systems that extend into or over water inspected biennially during the term of the loan, by a licensed electrical contractor or electrical engineer, for compliance with the safety-related provision of the California Electrical Code.

SB 315 (Alpert) – **Vessel Antifouling Paint Study.** Establishes the San Diego Advisory Committee for Environmentally Superior Antifouling Paints to direct the preparation of a report to identify incentives to ensure that nontoxic alternatives to metal-based antifouling hull coatings are used for recreational vessels.

REGULATIONS

Cal Boating is responsible for reviewing, updating, and adopting State boating regulations to enhance boating safety, to reflect changes in Federal boating law, to maintain uniformity among Federal and

State laws, and to implement legislatively mandated programs.

Local government entities may also adopt certain boating regulations, or ordinances, for waterways in their areas. These ordinances can pertain only to time-of-day restrictions, speed zones, special-use areas, and sanitation and pollution control. Cal Boating works with local agencies in the development of their regulations and recommends model local ordinances to maintain uniformity among boating ordinances.

Cal Boating also may work with the Federal government in the development and administration of Federal laws and regulations as they relate to marine safety and navigation.

In-the-water construction projects can potentially create safety problems that could endanger the lives of boaters. Cal Boating, therefore, reviews environmental documents such as Environmental Impact Reports for impacts on boating safety. During this biennial period, Cal Boating reviewed more than 425 environmental reports on construction projects on California waterways. Through this process, the Department provides recommendations for safety measures that assist in the reduction of fatalities and accidents.

The environmental unit also reviewed 314 Federal Energy Regulatory Commission documents on relicensing power projects on rivers and lakes, to recommend the inclusion of boating safety and access features.