



NEW YORK STATE SENATOR

David Carlucci

Senator Carlucci Announces Senate Passage of Comprehensive Boating Safety Legislation to Protect Waterways and Save Lives

DAVID CARLUCCI June 20, 2013

ALBANY, NY -- Senator David Carlucci (D-Rockland/Westchester) today announced that the New York State Senate has passed his legislation (S.1639-A) that establishes common sense boating safety standards and uniform procedures to prevent future accidents from taking place. The legislation will implement a comprehensive system by which certain individuals must obtain boating safety certificates upon the completion of safety courses. The measure is designed to educate new and current boaters and increase awareness of our waterways.

The legislation now heads to the State Assembly for its consideration.

Senator David Carlucci, Senate Co-Sponsor of the legislation said: "This is an enormous victory for advocates of boating safety who demand nothing more than to save lives in our waters. I have met with the family members of victims who have lost their lives to tragedies that otherwise could have been prevented. After much debate and consideration, I believe we have struck the right balance between safety and not jeopardizing businesses, particularly local marinas. New York State will now join with neighboring states that already have such requirements. I would like to thank my friend Assemblywoman Sandy Galef for her tireless leadership on this critical issue and look forward to seeing it adopted."

According to the U.S. Coast Guard, last year in New York there were 27 people killed and 127 injured in boating accidents. While New York is ranked seventh in boat registrations, it is ranked fifth for deaths from boating accidents. In total, over the past five years there have been 890 total boating accidents in the state and 129 lives lost.

The Carlucci/Galef legislation, which was prompted by the recent tragedies off the shores of Long Island and Westchester County, includes a variety of key safety provisions intended to prevent

future accidents from taking place:

- Require 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 are to 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.
- The bill preserves the existing law ability of 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.

In addition, specific exemptions exist from needing to obtain a boating safety certificate for anyone born before April 30, 1996, including a host of certified boating safety instructors, members of the U.S. Power Squadrons, U.S. Coast Guard Auxiliary and holders of public vessel licenses. It also pertains to law enforcement (police) officers, fire personnel and peace officers. The new system will also provide that the Commissioner shall develop and implement a method for approving internet-based boating safety courses, a new initiative that makes it easier to gain access to these certificates.

This legislation is critical to ensuring the safety of the entire boating community. Many boaters throughout the state have never taken a boating safety course and while they may believe they are abiding by the navigation laws, they put themselves and others at risk.

To view the legislation in its entirety, please visit the link [here](#).

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