



NEW YORK STATE SENATOR

Jeffrey D. Klein

## Senators Klein, Carlucci and Assemblywoman Galef Announce Boat Safety Laws to Prevent Boating Tragedies; Urge Gov. Cuomo to Sign Legislation in to Law

JEFFREY D. KLEIN July 15, 2013

| ISSUE: [SEA OR BOAT](#)



**CITY ISLAND, NY** — Today, less than one year after several tragic boating-related deaths in New York's waterways, Senator Jeff Klein (D-Bronx/Westchester), Senator David Carlucci (D-Rockland/Westchester) and Assemblywoman Galef (D-Westchester/Putnam) called upon Governor Cuomo to sign legislation making boat safety training a crucial part of the every young New Yorker's annual motorboat licensing application. The legislation, (A.3471-A/S.1639-A), was championed by all three lawmakers in the recent legislative session. Joined by the mother and grandmother of Bryan Johnson, a victim of a fatal boating incident off of City Island, Senator Klein underlined his support for

boating education requirements, citing evidence showing that the Bronx has among the highest rates of boating accidents in the state.

**Senator Klein** said: “It’s clear that boating safety education is a critical part of reducing the number of tragic incidents that happen every year on New York’s waterways. Here in the Bronx, we have the third highest rate of boating accidents in the state. That’s unacceptable, and it demonstrates why we have a duty to do more. That’s why I supported legislation that will increase boating safety education, bring our standards in line with neighboring states and, most importantly, save lives. I urge Governor Cuomo to sign this common sense legislation into law for the safety of all New Yorkers who enjoy spending time on the water.”

Senator Carlucci was the prime sponsor in the Senate and Assemblywoman Galef was the prime sponsor in the Assembly. The legislators were joined Vice-Commodore of the City Island Yacht Club, David Schulman and Boating Education Officer Franz Alvarez of the City Island Sail and Power Authority,

This legislation would require everyone – beginning with those who are 18 years and younger – to pass a certified boating safety course before operating motorboats.

The legislation 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, 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.

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

**Senator Carlucci** said: "With boating season finally underway, we have a real opportunity to save lives and protect our waterways with just a simple stroke of the pen. Too many tragedies have unfolded off our docks and marinas, and City Island bears no exception. Thankfully, we now have a plan that will increase boating safety and increase overall attendance at each of these classes. Along with my colleagues here today, I urge Governor Cuomo to sign this bill into law to bring New York's boating laws into the 21st century."

"Pleasure one moment on our waterways shouldn't lead to tragedy the next. Getting educated on how to properly use a boat is vital to preventing accidents in the future. We encourage the Governor to make boating safety the law in the State of New York," said **Assemblywoman Sandy Galef**.

**Thomasina Laidley-Brown, Grandmother to the late-Bryan Johnson, said:** "Boating safety should be a top priority, especially given the fact that too many accidents involve younger people who do not know the rules of the waters. I have fought hard with our state leaders to pass this through the legislature, and now I'm urging the Governor to follow through. On behalf of my family, I would like to thank Senators Carlucci, Klein and Assemblywoman Galef for their tireless efforts in fighting to get this bill signed into law."

**City Island Sail and Power Authority Boating Education Officer Franz Alvarez** said: "As instructors of public boating education, we have seen what can happen when boat operators head out to sea with little or no training. A key part of our mission is to teach people the fundamentals of safe boating so they know how to operate safely on the water and know what to do in case of an emergency. This education is critical in promoting safety on NY waterways."

26-year-old Bryan Johnson drowned just over a year ago in Long Island Sound off of City Island during a midnight swim with friends off a motorboat.