



NEW YORK STATE SENATOR

Phil Boyle

## Brianna's Law - Petition

PHIL BOYLE January 5, 2018

| ISSUE: **BOATING SAFETY**



To sign the petition click [here](#).

From Gina Lieneck, Brianna's Mother via Change.org:

"Brianna's Law is a Law that I'm trying to get passed in memory of my 11 year old daughter, Brianna Lieneck who was killed in a boating accident August 17, 2005. The majority of boat owners and operators are middle-aged adults and the current education laws do not pertain to them.

After doing some research I found that Twenty-two people died in boating accidents in New York in 2016, up from sixteen the year before, according to new data from the U.S. Coast Guard, 2016 was the most lethal for New York boaters since 2014 when 27 died. According to 2016 data, accidents have risen in the past three years. In 2013 there were 180 accidents, 2014 175 accidents, 2015 174 accidents, 2016 it went up to 188 accidents. In Suffolk County Long Island, five boaters died last year: three in open motor boats, one on a kayak and another on a paddle board, according to the NYS Office of Parks, Recreation and Historic Preservation. In Nassau County, two people died in accidents involving open motorboats.

New York ranked 31st out of 60 states, territories and regions in 2016 with 4.9 recreational boating fatalities per 100,000 registered boaters. New York moved up six spots from the year before, when it ranked 37th with a rate of 3.6 deaths per 100,000 registered boats.

A NYS bill will prompt for stricter boating laws making it mandatory for in-classroom boating education and certification for all operators of power-driven vessels. No grace period for said classes and the elimination of online boating safety certification courses. Each year, hundreds of accidents happen nationwide and this new law prompts for many different components that will help to reduce the number of injuries, accidents and fatalities each year. Some of the things that this bill will change or add is:

Children ages 10 to up to 14 may only operate a power driven vessel under 10hp, unless under the supervision of an adult at least 18 years of age who has completed an in-person boating safety course.

All power-driven vessels used in teaching on-water training, powered by an outboard or stern drive (excludes inboard and jet-drive), where persons are subject to being picked up out of the water by said power-driven vessel, shall be equipped with an appropriate propeller guard. This includes vessels conducting man-overboard drills, water skiing and

wakeboarding, etc.

Boating While Intoxicated (BWI) / Boating Under The Influence (BUI) Regulations will mandate a Blood Alcohol Content (breathalyzer and/or blood) test within a given period of time (i.e. 2 hours of incident) when a fatality or serious injury is involved. Increased Fines/Imprisonment for convictions on our Waters. Mandatory Breathalyzer test when a fatality or serious injury is involved. Subject to seizure of boat.

Mandatory liability insurance for power driven vessels similar to insurance required for a motor vehicle.

This petition will start the ball rolling for the Governor to change the laws to make our waterways safer. We need to do whatever it takes to make sure the inadequate laws adopted by New York State be strengthened so that all boaters take a mandatory in-classroom boating safety class, not just those born after 1996.

We will continue to work hard and fight for these critical issues that will prevent tragedies on our waterways and save lives.

Thank you for standing with us in solidarity until the current laws are upgraded. So lets us join together and work towards this bill success and start saving lives."