

DEPARTMENT OF TRANSPORTATION  
U. S. COAST GUARD  
STATEMENT OF ADMIRAL JAMES S. GRACEY  
ON RECREATIONAL BOATING  
BEFORE THE HOUSE MERCHANT MARINE AND FISHERIES  
SUBCOMMITTEE ON COAST GUARD AND NAVIGATION  
16 MAY 1985

GOOD MORNING, MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE. IT IS ALWAYS A PLEASURE TO APPEAR BEFORE YOU BUT PARTICULARLY SO THIS MORNING SINCE WE ARE TO DISCUSS ISSUES RELATED TO RECREATIONAL BOATING. WITH ME TODAY IS COMMODORE ALAN BREED, MY CHIEF OF THE OFFICE OF BOATING, PUBLIC, AND CONSUMER AFFAIRS.

I HAVE PREPARED SOME BRIEF REMARKS ADDRESSING SPECIFIC AREAS WHERE THE COMMITTEE HAS EXPRESSED CONCERN. WITH YOUR CONCURRENCE, I WILL READ THEM FOR THE RECORD.

FIRST, I AM PLEASED TO BE ABLE TO STATE THAT, ACCORDING TO THE BOATING ACCIDENT STATISTICS FOR CALENDAR YEAR 1984, BOATING SAFETY NATIONALLY IS IMPROVING. UNFORTUNATELY, THERE WERE 1063 FATALITIES. HOWEVER, THAT NUMBER IS DOWN 14 PERCENT FROM 1983, AND REPRESENTS THE LOWEST LEVEL OF FATALITIES SINCE THE FIRST FULL-YEAR ACCIDENT STATISTICS WERE PUBLISHED BY THE COAST GUARD IN 1961. IN ADDITION, REPORTED INJURIES WERE DOWN 7 PER CENT FROM 1983. THESE DECREASES OCCURRED DESPITE INCREASED BOATING

ACTIVITY AS EVIDENCED BY THE GOOD SALES YEAR EXPERIENCED BY THE BOATING INDUSTRY IN 1984. SO WE...AND I USE THAT COLLECTIVELY TO INCLUDE ALL PARTICIPANTS IN THE NATIONAL RECREATIONAL BOATING SAFETY PROGRAM - THE STATES, VOLUNTEER AND OTHER SAFETY ORGANIZATIONS AND INDUSTRY AS WELL AS THE COAST GUARD...ARE DOING SOMETHING RIGHT.

I HAVE LONG FELT - AND OFTEN EXPRESSED THE VIEW - THAT ACTIVE STATE INVOLVEMENT IS VITAL TO IMPROVING BOATING SAFETY. THIS WAS RECOGNIZED BY CONGRESS IN PASSING THE FEDERAL BOAT SAFETY ACT OF 1971 WHICH GREATLY EXTENDED THE FEDERAL AND STATE COOPERATION IN BOATING SAFETY INITIATED BY THE FEDERAL BOATING ACT OF 1958. FINANCIAL ASSISTANCE TO THE STATES THROUGH SUBSEQUENT AMENDMENTS TO THE FEDERAL BOAT SAFETY ACT HAS ENCOURAGED THEM TO ASSUME THE GREATER SHARE OF BOATING SAFETY LAW ENFORCEMENT AND EDUCATION RESPONSIBILITIES THAT THOSE LAWS PROMOTED. THE \$12.5 MILLION ALLOCATED TO STATE PROGRAMS IN FISCAL YEARS 1983 AND 1984, AND THE \$13.6 MILLION THIS YEAR REPRESENT SUBSTANTIAL INCREASES FROM ALLOCATIONS UNDER EARLIER PROGRAMS WHICH AVERAGED ONLY \$5 MILLION PER YEAR, AND HAVE ASSISTED THE STATES TO BECOME INCREASINGLY ACTIVE. THE STATES HAVE DONE WELL IN IMPROVING AND INCREASING THEIR LAW ENFORCEMENT EFFORTS. SOME ARE COMMENSURATELY INCREASING EDUCATIONAL ACTIVITIES. WE WOULD LIKE TO SEE A CONCERTED EFFORT BY ALL STATES TO ENHANCE EDUCATION EVEN MORE.

ADDITIONALLY, INVESTIGATIONS OF BOATING ACCIDENTS OFFER THE MOST RELIABLE AND ACCURATE INFORMATION ON THEIR CAUSES, PARTICULARLY THOSE THAT ARE ALCOHOL RELATED. WE WOULD LIKE MORE STATE EMPHASIS IN THIS IMPORTANT AREA. MUCH HAS BEEN DONE ALREADY, MUCH STATE INITIATIVE HAS BEEN DEMONSTRATED. THE GOAL IS TO HAVE ALL STATES PRODUCING UNIFORMLY GOOD BOATING ACCIDENT INVESTIGATIONS. CONTINUED FUNDING WILL SOLIDIFY THE STATES' ROLE AS THE PRIMARY PROVIDERS OF DIRECT BOATING SAFETY SERVICES TO THEIR CITIZENS.

THE DISTRIBUTION OF 5 PERCENT OF THE FUNDING AVAILABLE FOR STATE RECREATIONAL BOATING SAFETY PROGRAMS TO NATIONAL NONPROFIT PUBLIC SERVICE ORGANIZATIONS HAS ENABLED MANY PROJECTS TO BE INITIATED WHICH WILL HAVE A NATIONAL IMPACT ON BOATING SAFETY. THE COAST GUARD EMPHASIZED THE ALCOHOL ISSUE IN SOLICITING PARTICIPATION, RESULTING IN SEVERAL IMAGINATIVE PROJECTS.

THE SUBCOMMITTEE INDICATED THAT THE BOAT DEFECT PROGRAM WAS AN ISSUE OF INTEREST. REGULATION OF MANUFACTURING CONSTRUCTION STANDARDS IS AN IMPORTANT FEDERAL RESPONSIBILITY. MANUFACTURERS MUST CERTIFY COMPLIANCE OF THEIR PRODUCTS WITH FEDERAL STANDARDS. BOTH THE ENFORCEMENT OF BOATING SAFETY STANDARDS AND DETERMINATION OF DEFECTS MAY REQUIRE RECREATIONAL BOAT MANUFACTURERS AND RECREATIONAL BOAT IMPORTERS TO INITIATE A RECALL PROGRAM. THIS MANUFACTURER AND IMPORTER RESPONSIBILITY IS LIMITED BY LAW TO FIVE YEARS FROM THE DATE OF MANUFACTURE OR DATE OF MANUFACTURER CERTIFICATION. REGULATIONS REQUIRE THE

MANUFACTURER TO NOTIFY THE FIRST PURCHASERS AND THE COAST GUARD OF A DEFECT OR NONCOMPLIANCE. THE COAST GUARD HAS THE AUTHORITY TO DETERMINE THAT EITHER A DEFECT OR A NONCOMPLIANCE EXISTS IN A MARINE PRODUCT.

THE COAST GUARD IS ESTABLISHING A TOLL-FREE HOTLINE FOR BOATERS TO PROVIDE INFORMATION ON BOATS AND ASSOCIATED EQUIPMENT INVOLVED IN SAFETY DEFECT (RECALL) CAMPAIGNS FOR THE PAST 5 MODEL YEARS AND TAKE COMPLAINTS ABOUT POSSIBLE SAFETY DEFECTS, OR ASSIST CONSUMERS HAVING DIFFICULTY GETTING CORRECTIVE ACTION FOR A SAFETY RECALL ALREADY ANNOUNCED. ANYONE WITH ACCESS TO A TELEPHONE IN THE UNITED STATES CAN DIAL THE TOLL-FREE 800 NUMBER STARTING IN EARLY JUNE.

EACH CONSUMER COMPLAINT, MANUFACTURER'S DEFECT OR NONCOMPLIANCE REPORT, OR NONCOMPLIANCE TEST PROGRAM REPORT IS GIVEN A UNIQUE IDENTITY AND BECOMES A CASE FILE RECORD. EACH CASE IS INVESTIGATED BY THE COAST GUARD IN COOPERATION WITH THE CONSUMER (OWNER) AND MANUFACTURER. IF A DETERMINATION IS MADE THAT A NONCOMPLIANCE OR A "DEFECT WHICH CREATES A SUBSTANTIAL RISK OF PERSONAL INJURY TO THE PUBLIC" EXISTS, THE MANUFACTURER IS NOTIFIED. HE IS THEN DIRECTED TO INITIATE A RECALL CAMPAIGN BY NOTIFYING THE FIRST PURCHASERS OF THAT BOAT OR EQUIPMENT, AND TO REPAIR OR REPLACE THE BOAT OR EQUIPMENT HAVING THE DEFECT OR NONCOMPLIANCE. PERIODIC PROGRESS REPORTS ARE REQUIRED FROM THE MANUFACTURER. THE REPAIR OR REPLACEMENT RESPONSIBILITY REMAINS UNTIL ALL UNITS ARE CORRECTED. THE COAST GUARD PUBLISHES AND

DISTRIBUTES PERIODIC REPORTS ON THE CAMPAIGNS. ONE OF THE WEAKNESSES OF THE ORIGINAL LEGISLATION WAS CORRECTED ON OCTOBER 30, 1984 BY PUBLIC LAW 98-557. NOW SELLING A BOAT WITH AN UNCORRECTED SUBSTANTIAL RISK DEFECT IS PROHIBITED.

THE SUBCOMMITTEE ALSO INDICATED AN INTEREST IN FOCUSING ATTENTION ON THE SAFETY RAMIFICATIONS OF REGULATIONS THAT WILL REDUCE THE PERMISSIBLE LEVEL OF LEAD IN GASOLINE. MANY DISTRIBUTORS OF GASOLINE HAVE BEGUN TO ADD ALCOHOL, PARTICULARLY METHANOL, TO GASOLINE, EITHER TO INCREASE THE OCTANE RATING OR TO LOWER THE COST OF THE FUEL. WE EXPECT THIS PRACTICE TO BECOME MORE PREVALENT IN THE NEAR FUTURE. ONE GOVERNMENT ACTION WHICH MAY ACCELERATE THIS TREND IS THE RECENT ENVIRONMENTAL PROTECTION AGENCY REGULATION TO PHASE OUT THE USE OF TETRAETHYL LEAD IN GASOLINE.

ALCOHOL/GASOLINE BLENDS POSE SOME SAFETY HAZARDS FOR BOATS BECAUSE THEY INCREASE THE RATE OF ATTACK ON RUBBER COMPOUNDS USED IN ENGINES AND FUEL HOSES. WE UNDERSTAND THAT THE PERMEATION OF SUCH GASOLINE BLENDS THROUGH THE WALLS OF A FUEL HOSE IS INCREASED BY A FACTOR OF THREE. THIS COULD RESULT IN AN EXPLOSIVE MIXTURE IN SOME BOATS WHEN FUELED WITH A BLEND. THESE FUEL BLENDS ARE ALSO MORE SUSCEPTIBLE TO SEPARATION IN THE PRESENCE OF WATER. THAT MAY RESULT IN INCREASED CORROSION OF FUEL TANKS, CARBURETORS, AND OTHER METALLIC COMPONENTS. OLDER INBOARD ENGINES WITHOUT HARDENED VALVE-SEATS MAY SUFFER FROM ACCELERATED VALVE WEAR.

THE COAST GUARD IS ADDRESSING THIS POTENTIAL PROBLEM THROUGH CONSUMER ADVISORIES, RESEARCH, AND VOLUNTARY STANDARDS. WE HAVE PUBLISHED TWO ARTICLES IN THE "BOATING SAFETY CIRCULAR," A QUARTERLY NEWSLETTER WHICH IS WIDELY QUOTED IN THE POPULAR BOATING PRESS. WE HAVE BRIEFED THE NATIONAL BOATING SAFETY ADVISORY COUNCIL AT MEETINGS DURING THE PAST TWO YEARS. WE ARE BUILDING A TEST CHAMBER FOR TANKS AND HOSES AT THE COAST GUARD RESEARCH AND DEVELOPMENT CENTER IN GROTON, CONNECTICUT. THIS EQUIPMENT SHOULD SOON BE IN OPERATION. LASTLY, WE ARE PARTICIPATING IN THE WRITING OF VOLUNTARY STANDARDS FOR MARINE FUEL HOSE WITHIN THE MARINE TECHNICAL COMMITTEE OF THE SOCIETY OF AUTOMOTIVE ENGINEERS AND THE AMERICAN BOAT AND YACHT COUNCIL. OUR EVENTUAL AIM IS TO PUBLISH AN AMENDMENT TO THE REGULATION FOR MARINE FUEL HOSE WHICH WILL BE BASED ON THE VOLUNTARY STANDARDS FOR ALCOHOL RESISTANT FUEL HOSE.

ONE LAST ITEM THE SUBCOMMITTEE EXPRESSED AN INTEREST IN IS THE COAST GUARD'S NON-EMERGENCY ASSISTANCE POLICY. THE COAST GUARD HAS HAD A LONG-STANDING POLICY OF NON-INTERFERENCE WITH PRIVATE ENTERPRISE. MY NON-EMERGENCY ASSISTANCE POLICY REENFORCES THAT POLICY ... AND GOES A STEP FURTHER. BASICALLY, IT DEFINES NON-EMERGENCY CASES AS THOSE POSING NO REASONABLY FORESEEABLE THREAT TO LIFE. IN A GIVEN CASE OF THAT SORT, IF THERE IS A COMMERCIAL FIRM AVAILABLE WITH EQUIPMENT AND PERSONNEL QUALIFIED TO HANDLE THE CASE AT HAND AND WHICH CAN DO IT IN A REASONABLE TIME, THE COAST GUARD WILL TURN THE MATTER OVER TO THEM. THIS APPLIES ONLY IN DAYLIGHT AND GOOD WEATHER. AT OTHER TIMES AND IN OTHER CONDITIONS THE COAST GUARD WILL RESPOND.

WHEN A CASE IS TURNED OVER TO A COMMERCIAL FIRM THE COAST GUARD WILL CONTINUE TO MONITOR IT TO A SATISFACTORY CONCLUSION. IF COMMERCIAL ASSISTANCE IS NOT AVAILABLE, OR IF THE LOCAL COMMANDER DETERMINES THAT THE SITUATION MAY DETERIORATE BEFORE COMMERCIAL ASSISTANCE ARRIVES, COAST GUARD UNITS WILL RESPOND. THERE ARE OTHER QUALIFYING FACTORS TOO, BUT THAT GIVES YOU THE ESSENCE OF THE POLICY.

SINCE THIS POLICY WAS FULLY IMPLEMENTED, ONLY TWO PERCENT OF ALL REPORTED SAR CASES WERE HANDLED BY COMMERCIAL FIRMS. WE FORECAST LITTLE INCREASE, AS MANY FIRMS HAVE FOUND THEY CANNOT MAKE A PROFIT ON NON-EMERGENCY ASSISTANCE.

MR. CHAIRMAN, THAT COMPLETES MY FORMAL REMARKS EXCEPT TO SAY THAT WE APPRECIATE THE COMMITTEE'S CONTINUING INTEREST IN IMPROVING SAFETY FOR OUR NATION'S MILLIONS OF BOATERS. I WILL BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE OR TO PROVIDE ANY MATERIAL DESIRED FOR THE RECORD.