



BOY SCOUTS OF AMERICA

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SUBJECT: New BSA Safe Boating/Sailing Standards for vessels owned and operated by the Boy Scouts of America.

FROM: Don Winston, Director, Exploring Division

THROUGH: Parvin L. Bishop, National Program Director

TO: Scout Executives and All Professional Staff Members

When the new *Passenger Vessel Safety Act of 1993* was signed into law, it cleared up the confusion for recreational boat owners over who is a “guest” on board and who is a “passenger for hire.” This being the determination for compliance to either commercial vessel or recreational vessel standards of the U. S. Coast Guard.

Under the new law, a “passenger for hire” is defined for the first time as someone who has contributed “consideration” to the owner, operator, or agent of the vessel as a condition of being taken out on the boat.

The new definition of “consideration” does not include nominal gifts such as food, drink, or any other small item. The seven dollar annual registration fee has not been determined to be “consideration” under the new law. Voluntary sharing of expenses for food, fuel, bait or other supplies for the outing does not constitute “consideration.” Thus, BSA owned vessels **are not** considered “small passenger vessels” or “passenger vessels” regardless of the number of Scouts or Explorers on board, and therefore **not** subject to U.S. Coast Guard operator’s licensing and inspection. (USCG letter of 10/06/94 and the USCG publication titled *Federal Requirements and Safety Tips for Recreational Boats* are attached)

Action: The following new *Safe Boating/Sailing Standards* will become effective immediately, except for exempt boats, and applies to the operations of boating and sailing activities at the unit, district, and council level.

NEW SAFE BOATING/SAILING STANDARDS
(For Vessels Owned and Operated by the Boy Scouts of America)

EXEMPT

BOATS **Row Boats, Canoes, Open Cockpit Sailboats, Small Vessels Propelled Solely by Oars or Paddles.**

Safety Standards:

BSA Aquatic Safety Standards as published in "Safety Afloat," Guide to Safe Scouting, No. 34410.

**BOATS 30'
and UNDER****Three New Safety Standards:**

1. These boats shall display a current USCG Auxiliary "Seal of Safety" decal obtained through a free "Courtesy Marine Examination" by a member of the USCG Auxiliary within the council territory.

2. Adult leaders operating BSA boats shall complete the basic boating safety course from one of the following local organizations:
 - ! U.S. Coast Guard Auxiliary
 - ! U.S. Power Squadrons
 - ! U.S. Sailing
 - ! American Red Cross
 - ! Boating safety course qualified by your State Boating Law Administrator.
 - ! Equivalent training or experience gained from participating in sailing or small boat programs i.e., U.S. Navy, U.S. Coast guard, or Merchant Marine Academies
 - ! USCG Operator's License.

To find a conveniently-located boating safety course, call the BOAT/U.S. Foundation for Boating Safety's toll-free Course Line, 1-800-336-BOAT.

3. An annual Boat Safety Check List completed and filed with local council thirty days after charter renewal by a member from the council Health and Safety Committee or other council committee as designated by the Scout Executive. (Boat Safety Check List and sample Council Authorization Certificate are attached and should be reproduced locally.)

BOATS OVER 30'

Four New Safety Standards:

(1.), (2.), and (3.) as above.

4. Operators of these boats shall obtain every four (4) years a “Condition Survey” (i.e., statement or letter indicating the condition of the vessel and suitability for the service intended) from a recognized or certified Marine Surveyor and filed with local council.

BOATS CARRYING PASSENGERS FOR HIRE

New Safety Standards:

1. In all cases, the operator must have a U.S. Coast Guard operator’s license.

Under the Passenger Vessel Safety Act of 1993, a “passenger for hire” is defined for the first time as someone who has contributed “consideration” to the owner, operator, or agent of the vessel as a condition of being taken out on the boat. In such cases, the operator must have a U.S. Coast Guard operator’s license and retain or seek a U.S. Coast Guard Certificate of Inspection for the vessel.

2. The other major change in the law that may affect some BSA owned boats is in the use of the vessel as a charterboat. Under the new law, a bareboat charter vessel **carrying more than 12** “passengers for hire” must now be inspected by the U.S. Coast Guard.

A vessel measuring less than 100 gross tons can **carry up to 6** “passengers for hire” and does not need to be inspected. It is now called an “uninspected small passenger vessel.”

A vessel measuring more than 100 gross tons can **carry up to 12** “passengers for hire” and does not need to be inspected. It is now called an “uninspected passenger vessel.”

ANNUAL BOAT SAFETY CHECK LIST
(For Council Authorization to Operate BSA Vessels)

Unit Number: _____ Council Name: _____

Boat Name: _____

Boat Make/Model/Manufacturer/or Style: _____

Include the year built if known.

State Registration Number and/or Hull Number: _____

Serial numbers do not take the place of this information.

Length: _____. Measure the uppermost continuous deck between the inside of the stern post to the inside of the stem post (USCG specifications).

Kind of Propulsion: ___ Gas/diesel powered ___ Sailboat ___ Power supplemented sailboat

Over 50' classification, indicate where the boat is docked (name of pier and city): _____

CHECK:

G 1. In compliance with an annual USCG Auxiliary Courtesy Marine Examination and "Seal of Safety" decal displayed on boat.

G 2. In compliance with minimum _____ and maximum _____ number of persons carried aboard (See Guidelines on Back).

G 3. Have determined which additional equipment is appropriate for this boat as outlined on page **33** of the USCG publication titled "Federal Requirements and Safety Tips for Recreational Boats" and/or other items as described on page **5-83**, under "Boating Safety," in the *Sea Exploring Manual*, No. 33239. USCG Boating Safety Hotline is 800-368-5647 for literature and questions.

G 4. Vessels over 30' in compliance with a "Condition Survey" every four years by a recognized or certified Marine Surveyor. Date of Survey: _____

G 5. Adult leader (Name): _____
operating BSA vessel has completed the basic boating safety course from:

Date: _____

(Organization/USCG Licensed)

APPROVAL:

Signature: _____ Date: _____

(Council Designee)

Signature: _____ Date: _____

(Adult Boat Operator or Unit Leader)

GUIDELINES FOR MAXIMUM PERSONS CARRIED ABOARD

Use the information contained on the capacity plate attached to the boat, or if capacity plate is missing, use the formula below to determine the maximum number of persons to be carried:

$$\frac{(\text{Length} \times \text{Width})}{15}$$

GUIDELINES FOR MINIMUM PERSONS CARRIED ABOARD

1- Sailing vessels under 26 feet LOA:

- 1 Operator
- 1 Experienced person
- 1 Other crew member

2- Sailing vessels 26 feet and longer:

- 1 Operator
- 1 Experienced person
- 2 Other crew members

3- Power vessels under 26 feet LOA:

- 1 Operator
- 1 Experienced person

4- Power vessels 26 feet and longer:

- 1 Operator
- 1 Experienced person
- 1 Other crew member

5- Power vessels not having engine controls at the steering station shall require at least one additional crew member to provide for engine control.

6- When a vessel is cruising for more than 12 hours of continuous operation, these minimum crew guidelines will be doubled to provide two (2) watches.

7- The actual evaluation for minimum and maximum crew will consider the number of persons carried, the waters being cruised, and the general arrangement, and size of the vessel.