

Department of Planning and Budget 2007 Fiscal Impact Statement

1. Bill Number SB1241

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed
Second House ☒ In Committee ☐ Substitute ☐ Enrolled

2. Patron Newman

3. Committee PENDING

4. Title Boating Safety.

5. Summary/Purpose: Makes it a Class 4 misdemeanor for anyone, other than a law enforcement officer engaged in the performance of their official duties, to operate a motorboat on the waters of any inland lake wholly located in Virginia without having successfully completed an approved boating safety education course. The education requirement is phased in so that by July 1, 2016, all motorboat operators will have been required to complete and pass a course or an equivalency exam. The Board of Game and Inland Fisheries is directed to develop and administer the mandatory boating safety education program through the promulgation of regulations, taking into account comments from the public. There are a number of ways a person can comply with the law other than successfully completing an approved course, such as passing an equivalency examination and possessing a valid license issued to maritime personnel. The bill also repeals the law that requires at least one game warden to patrol Smith Mountain Lake during the boating season. Persons participating in regattas, races, marine parades, tournaments or exhibitions approved by the Board of Game and Inland Fisheries or the U.S. Coast Guard are exempt from having to complete a boating safety course.

6. Fiscal Impact Estimates are: Preliminary. See item 8, below.

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2006-07			
2007-08	150,000	1.0	NGF
2008-09	120,000	1.0	NGF
2009-10	120,000	1.0	NGF
2010-11	120,000	1.0	NGF
2011-12	120,000	1.0	NGF
2012-13	120,000	1.0	NGF

7. Budget amendment necessary: Yes. Item 367.

8. Fiscal implications: The bill may have an expenditure impact to the Department of Game and Inland Fisheries (DGIF). DGIF estimates that this expenditure impact would be \$150,000 in the first year of implementation and \$120,000 each year thereafter. The first year

estimate includes one-time costs of \$30,000 to develop the training manual and examination, and recurring costs of \$70,000 for the printing of the training manual and distribution of the manual, \$50,000 for personal services costs associated with hiring a position to grade the examinations and determine whether the applicant has satisfied the requirements for certification. The Game Protection Fund would be the fund source.

Game and Inland Fisheries, the Coast Guard auxiliary and private vendors currently offer nationally approved courses, many of which are available on-line. These nationally approved courses are authorized by DGIF and satisfy current boating safety requirements in place for the operation of personal water craft by youth ages 14 and 15. Boating safety education is recommended for all boaters, but is not currently required. According to DGIF, the course that §29.1-735.2 F of the bill would require the agency to develop would not be nationally recognized.

Also, to comply with the provisions of the bill the agency will likely need to maintain a database of those individuals who have completed the boating safety training or have otherwise satisfied the requirement.

The penalty for a Class 4 misdemeanor is a fine of not more than \$250. Any revenue will be deposited to the state's Literary Fund.

Any impact the bill may have on the court system is expected to be minimal.

9. Specific agency or political subdivisions affected: Department of Game and Inland Fisheries and the court system.

10. Technical amendment necessary: No.

11. Other comments: HB 2374 and HB 1627 also establish mandatory boating safety education.

Date: 02/05/07/tmw

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cc: Secretary of Natural Resources