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JAN 5 2012

Mr. Jack Fuechsel, Director
GMDSS Task Force
1600 N. Oak St., #427
Arlington, VA 22209

Dear Mr. Fuechsel:

I am writing to you at this time to provide you with an update on the Coast Guard's consideration of regulating the carriage and use of emergency locator beacons (ELBs) on recreational vessels. This is a further update to your letter of 10 Jan 2011 encouraging the Coast Guard on this topic.

As you state in your original letter, the Coast Guard lacked authority to require the carriage or use of ELBs on recreational vessels until legislation was enacted in October 2010. That legislation amended the definition of the term "associated equipment," thus providing the Coast Guard with the authority in question.

Since the enactment of that legislation, the Coast Guard has done partial analysis on the potential benefits of requiring the carriage and use of ELBs on recreational vessels operating more than 3NM off shore. The analysis done to date has focused on the potential number of lives that could be saved. This analysis is not yet complete, but what has been done to date indicates the potential benefits in this area.

Following the completion of this initial analysis, the Coast Guard approached the National Boating Safety Advisory Council (NSBAC) at its October 2011 meeting to request that they consider this issue and, when ready, submit a recommendation to the Coast Guard on it. The basic question to them is, should the Coast Guard regulate the carriage and use of ELBs on such recreational vessels? If they determine that they would make a recommendation to do so, then we desire that they specify any conditions that they would recommend in addition. This may include limiting such a requirement to certain types or sizes of vessels, or amending the areas outside of 3NM where such a requirement would apply.

You are probably aware of who NBSAC is comprised of, what authority it works under, and what its mandate is, given that you had a representative at their October 2011 meeting. However, to be sure, NBSAC is mandated by federal law and is a functioning Federal Advisory Committee Act (FACA) council. Its function is to advise the Coast Guard on possible regulatory and other major actions to take impacting recreational boating safety. NBSAC is authorized under 46 U.S.C. 13110; and the Coast Guard is required under 46 U.S.C. 4302(c)(4) to consult with the Council regarding regulatory matters such as requiring the carriage of ELBs.

The Boats and Associated Equipment Subcommittee within NBSAC has been assigned the task of reviewing this issue and making a recommendation to the full body of NBSAC when they have completed their analysis. In the meantime, we expect that they will ask us for various data

relating to the costs and benefits of promulgating such a regulation. The benefits may include such items as lives saved, injuries and property damage prevented, and search and rescue cost savings. The costs may include the cost born by the recreational boating community to purchase and maintain the ELBs, additional cost to the Coast Guard to respond to false alerts, and other societal costs.

I would encourage your organization to attend the upcoming NBSAC meetings to learn about the progress that they are making on their analysis and on their ultimate recommendation. The next NBSAC meeting is scheduled for 13-15 April, 2012 in Arlington, VA, and we have added your email address to the list that we use to keep interested parties informed of NBSAC activities.

Thank you for your interest in this topic and recreational boating safety. Working together, the many partners in the National Recreational Boating Safety Program will be successful in reducing casualties and enhancing the recreational boating experience.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Rizzo", written over a circular scribble.

MARK D. RIZZO
Captain, U. S. Coast Guard