



16751
CG-BSX
Policy Letter 23-01, CH-1
26 Sep 2023

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COMDT (CG-BSX)

To: Distribution

Subj: CHANGE 1 TO RECREATIONAL BOATING INCIDENT REPORTING

Ref: (a) Recreational Boating Incident Reporting, CG-BSX Policy Letter 23-01,
dtd 1/27/23
(b) 33 CFR Part 173 subpart C – Casualty and Accident Reporting
(c) 33 CFR part 174 subpart D – State Reports
(d) 33 CFR part 174 subpart C – Casualty Reporting System Requirements
(e) 46 USC § 13102(b)(1) –State Recreational Boating Safety Programs
(f) Recreational Boating Statistics, COMDTPUB 16754.34 (series)
(g) 46 USC § 2101 –General Provisions

- Purpose. This policy letter cancels reference (a). The revision provides additional guidance for reporting of incidents that solely involve state-numbered uninspected commercial vessels (5.c.(2)), voluntary departures from anchored vessels (5.b.(5)), casualties on properly docked or moored vessels due to the actions of another recreational vessel (5.a.(12)-(14) and 5.b.(7)-(9)), self-inflicted injuries (5.b.(2)) and incidents that occur during storm or unusual tidal or sea conditions (5.b.(13(a)(b))). It changes parameters for calculating the federal damage threshold (4.i) and fine-tunes language regarding the federal injury threshold (4.b), foreign flag vessels (5.c.(1)), and incidents involving a watercraft or artificial contrivance that has already been determined to not be a vessel (5.b.(14)). It also provides definitions for “associated equipment” (4.a) and “personal property” (4.x). Last, it renumbers the final sections, and updates the references. Effective for incidents occurring on or after 1 Jan 2024, this policy provides guidance on the reporting requirements in references (b) through (d) to avoid unnecessary reporting of occurrences to the Coast Guard. By explaining the way the Coast Guard uses the incident reports and the terms used in the reporting regulations, this policy clarifies the incidents that reporting authorities should forward to the Coast Guard.
- Background. Reference (b), pursuant to 33 CFR § 173.51, applies to the following:

Each vessel operated on waters subject to the jurisdiction of the United States and on the high seas beyond the territorial seas for a vessel owned in the United States that:

 - (1) Is operated by its operator for recreational purposes; or
 - (2) Is required to be numbered under this part.

It does not apply to a vessel subject to inspection under Title 46 U.S.C. Chapter 33.

Further, reference (b), specifically 33 CFR § 173.55(a)(1)-(4), requires operators of recreational vessels to submit a casualty or accident report to the “reporting authority,” which is defined at 33 CFR § 173.3 as a state listed in 33 CFR part 173, Appendix A, or the Coast Guard if no state is listed. It requires a report to the reporting authority under the following conditions:

- a. A death;
- b. An injury that requires medical treatment beyond first aid;
- c. Damage to vessels and other property that totals \$2,000 or more or results in the complete loss of a vessel (\$2,000 is the federal threshold, a state or territory may establish a lesser value); or
- d. The disappearance of a person under circumstances that indicate death or injury.

Note: Reference (b) also lists the minimum required contents of the report. Reference (c) requires the reporting authority to forward reports to the Coast Guard, and reference (d) sets out requirements for a state casualty reporting system. Per reference (e), the Coast Guard requires the states to report to the Coast Guard incidents on waters over which the state has jurisdiction that meet one or more of the conditions in paragraphs 2.a through 2.d; this includes sole state waters.

The Coast Guard uses the required reports to create the statistics in reference (f), which is posted on www.uscgboating.org. Reference (f) meets the requirement of 46 U.S.C. § 6102(b), which requires the Coast Guard to collect, analyze, and publish information about the reports it receives.

3. Action.

- a. Vessel operators and state reporting authorities must meet the applicable federal reporting requirements of references (b) through (d). This policy is not intended to contradict or replace those requirements, nor is it intended to prevent the establishment of other reporting requirements by a state or territory for its purposes.
- b. If a reporting authority has a question regarding this policy, please consult the State Program Coordinator (SPC) in CG-BSX-21 at RBSInfo@uscg.mil. An occurrence in paragraph 5.a requires reporting per reference (b) unless it is explicitly not required in paragraph 5.b.

4. Terms Used in this Document. The following terms are defined for the purposes of this policy letter. Although many of these terms appear in reference (b), the definitions below are not intended for other contexts such as regulatory requirements located outside of references (b) through (d).

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- a. **Associated equipment.** As defined in reference (g), a system, accessory, component, or appurtenance of a recreational vessel; or a marine safety article intended for use on board a recreational vessel.
- b. **Beyond first aid.** Means any physical harm or hurt for which a person received treatment by a medical professional at a licensed medical facility. Observation without treatment is not treatment beyond first aid and is not considered an injury beyond first aid.
- c. **Capsizing.** The overturning of a vessel.
- d. **Carbon monoxide exposure.** Death or injury resulting from an odorless, colorless gas generated from auxiliary vessel equipment (including but not limited to stoves, heaters, refrigerators, generators, and hot water heaters), another vessel's exhaust, or the exhaust of the vessel on which persons were either aboard or in close proximity.
- e. **Collision with fixed object (allision).** The striking of any fixed object, above or below the surface of the water, except the bottom of the body of water. This includes a vessel striking another vessel moored to a dock, pier, or similar structure; and a vessel striking timber or stumps.
- f. **Collision with floating object.** The striking of a floating object other than a vessel, above or below the surface of the water, which is not fixed or held in place by any means (e.g., barrels, logs, or other debris).
- g. **Collision with vessel.** A striking together of two or more vessels, including colliding with an anchored vessel, a vessel secured to a mooring buoy or the tow of another vessel with exception of a towed watersport participant(s). This does not include a vessel striking a vessel moored to a dock, pier, or similar structure (see collision with fixed object (allision)).
- h. **Complete vessel loss.** When the vessel is known or presumed to have been destroyed, is presumed to have sunk in an unknown location, has sunk in a known location but will not be recovered, or is a total constructive loss (i.e., so severely damaged it is not worth repairing).
- i. **Damage to the vessel or other property.** The damage threshold that requires reporting per reference (b) excludes the value of personal property on the vessel and includes damage to the structural, mechanical, and electronic components of the vessel and its associated equipment, and the material cost of restoring boating infrastructure.
- j. **Electrical shock.** When a person makes contact with electrical current from a vessel or its equipment. This includes system failure and stray current. It does not include lightning (see natural phenomena).
- k. **Fire/Explosion (fuel).**

(1) **Fire/Explosion (Engine (propulsion) or generator related).** Accidental burning or

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explosion of a vessel due to combustion of vessel fuels or their vapors used for electrical generation or propulsion.

(2) **Fire/Explosion (Not engine (propulsion) or generator related)**. Accidental burning or explosion of a vessel due to combustion of fuels or their vapors not used for electrical generation or propulsion.

- l. **Fire/Explosion (non-fuel)**. Accidental burning or explosion of any material onboard a vessel except vessel fuels or their vapors.
- m. **Fire/Explosion (unknown origin)**. Accidental burning or explosion of any material onboard a vessel where the cause of the fire/explosion is unknown.
- n. **Flooding**. The manner by which water enters the vessel through a fitting, a drain plug, a hole or crack in the hull, or other means that allows ingress of water through the hull, not over the top of the gunwale, transom, or decking of the vessel. Flooding is not the same as swamping.
- o. **Grounding**. Running aground of a vessel, including the striking or pounding on rocks, reefs, shoals, or the bottom of the body of water; includes a stranded vessel.
- p. **Incident**. An occurrence deemed to meet the reporting requirements of reference (b) per this policy.
- q. **Natural phenomena**. Includes interaction with things such as lightning, being struck or bitten by a fish, or falling debris from a cliff.
- r. **Person departs vessel voluntarily**. A person, acting of their own free will, enters the water from a vessel, resulting in the person's injury or death.
- s. **Person ejected from a vessel**. A person is thrown out of a vessel involuntarily by a non-human force such as a wake, wave, collision, or unexpected change in direction of the vessel.
- t. **Person falls overboard**. A person involuntarily falls off a vessel.
- u. **Person impacts vessel**. A person slips, trips, falls, or strikes a surface on or in a vessel.
- v. **Person struck by propeller/propulsion unit/water jet**. A person who is located on, inside, or outside of a vessel is struck by the propeller or propulsion unit of a vessel or high velocity water leaving the propulsion unit.
- w. **Person struck by vessel**. A person who is located inside or outside of a vessel is struck by a vessel.
- x. **Personal property**. Items that are portable gear such as fishing equipment and barbeques, and items not related to safe navigation or carriage equipment such as jewelry.

- y. **Private Waters.** Privately held waters not subject to the jurisdiction of the United States or a state.
 - z. **Properly docked or moored vessel.** A vessel secured to a fixed structure, such as a dock, pier, or wharf, or to a mooring buoy or other floating object (excluding another vessel, a floating dock, or ATONs).
 - aa. **Reporting authority.** A state listed in 33 CFR part 173, Appendix A, or the Coast Guard if no state is listed.
 - bb. **Sinking.** After swamping, flooding, or capsizing, the vessel loses enough buoyancy to submerge entirely below the surface of the water.
 - cc. **Sole State Waters.** Waters not subject to the jurisdiction of the United States but subject to the jurisdiction of a state.
 - dd. **Swamping.** The manner by which water enters the vessel over the top of the gunwale, transom, or decking of the vessel, not through a fitting, drain plug, hole or crack in the hull, or other means that allows ingress of water through the hull. Swamping is not the same as flooding.
 - ee. **Towed watersport mishap.** Associated with vessel passenger(s) or person(s) being towed or surfing the wake created by the vessel, including but not limited to persons falling or ejected during their activity; being struck by or entangled in the activity equipment; or running into a person, object, or vessel.
5. Coast Guard Use of the Reports. The purpose of the reporting requirements in references (b) through (d) is to document the causes of vessel incidents and use that data to inform the development of regulatory and educational interventions intended to prevent future vessel incidents. Reference (f) presents statistics on vessel incidents in accordance with 46 U.S.C § 6102(a)(b). Therefore, in accordance with 33 CFR § 173.55(a), there is no need to report occurrences to the Coast Guard that are not listed below, as they are unrelated to the vessel or its operation. To avoid unnecessary reporting, this policy letter explains which occurrences must be reported and whether they will be included or excluded from the statistics in reference (f).
- a. **Reportable and included in reference (f).** The Coast Guard anticipates that the following occurrences will always or nearly always meet the reporting requirements in reference (b). If they meet the parameters of reference (b), they must be reported and, if reported, they will be included in reference (f).
 - (1) Capsizing.
 - (2) Carbon monoxide exposure.
 - (3) Collision with a fixed object (allision).

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- (4) Collision with a floating object.
- (5) Collision with vessel.
- (6) Electrical shock.
- (7) Fire or explosion (fuel and non-fuel materials related), when the vessel is underway, at anchor, or is properly moored or docked and involved in fueling or starting or when attributed to the vessel's equipment or electrical components.
- (8) Flooding.
- (9) Grounding.
- (10) Interaction with natural phenomena, when the vessel is underway, and at least one federal regulatory reporting threshold in reference (b) was met, and another event occurred.
- (11) Person departs vessel voluntarily, when:
 - (a) the vessel is underway; or
 - (b) the vessel was recently anchored for immediate repairs (e.g., unfouling an anchor or cleaning an intake).
- (12) Person ejected from a vessel, when:
 - (a) underway or anchored; or
 - (b) properly docked or moored, and due to another recreational vessel's actions.
- (13) Person falls overboard from a vessel, when:
 - (a) underway or anchored; or
 - (b) properly docked or moored, and due to another recreational vessel's actions.
- (14) Person impacts a vessel, when:
 - (a) underway or anchored; or
 - (b) properly docked or moored, and due to another recreational vessel's actions.
- (15) Person struck by propeller/propulsion unit/water jet.
- (16) Person struck by vessel.
- (17) Sinking.

- (18) Swamping.
 - (19) Towed watersport mishap.
 - (20) Occurrences involving recreational vessels already underway, including during storms or unusual tides or sea conditions, that engage in Good Samaritan acts.
 - (21) Occurrences involving vessels engaged in sanctioned-activity unless they are specifically exempt from the numbering requirements per 33 CFR § 173.13.
 - (22) Other occurrences where the vessel operation, construction, seaworthiness, machinery, equipment, loading, or environmental forces were involved, unless excluded by their listing in 5.b.
- b. **Not reportable and also excluded from reference (f).** The following occurrences are either not within the scope of the requirements in reference (b) or not germane to the statistics in reference (f). They typically do not require reporting under reference (b) and, if reported, will be excluded from reference (f):
- (1) All those on Private Waters.
 - (2) Self-inflicted injuries, including wounds, alcohol/drug overdose, or poisoning that occur when unrelated to the vessel or its equipment and involving no other vessel.
 - (3) Assaults.
 - (4) A person suffers injury or death as a result of voluntarily entering the water from the shore or from another non-vessel place of inherent safety to swim to a vessel, to swim for pleasure, or to retrieve another object.
 - (5) Person suffers injury or death as a result of voluntarily jumping, diving, or swimming for pleasure from an anchored vessel, or a properly docked or moored vessel.
 - (6) Medical emergencies unrelated to the vessel or its equipment and involving no other vessel. A medical emergency does not refer to physical impairments such as poor eyesight, hearing, or mobility.
 - (7) Person ejected from a properly docked or moored vessel, when no other recreational vessel was involved.
 - (8) Person falls overboard from a properly docked or moored vessel, when no other recreational vessel was involved.
 - (9) Person impacts a properly docked or moored vessel, when no other recreational vessel was involved.

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- (10) Vessel damage or loss involving a properly docked or moored vessel and attributed to a lack of or improper maintenance.
 - (11) Launching and recovery occurrences, including when the vessel is not on the water and capable of use or not free from the launching apparatus.
 - (12) Failure of the vehicle used for trailering.
 - (13) When, during storms or unusual tidal or sea conditions:
 - (a) a properly docked or moored recreational vessel met a threshold in reference (b) and an underway or anchored vessel participating in recreational activity was not involved; or
 - (b) a recreational vessel gets underway, including to effect a rescue, met a threshold in reference (b) and an underway or anchored vessel participating in recreational activity was not involved.
 - (14) Occurrences that solely involve a pool float toy, innertube, float tube propelled by feet or fins, surfboard, submersible, diving propulsion aid, stock tank, air mattress, fish tote, floating dock, unmodified log, non-propelled residential platform, snowmobile, seaplane and/or a watercraft or artificial contrivance that has already been determined to not be a vessel. (Note: A vessel is defined by 1 U.S.C. § 3. If it is unclear whether a watercraft involved is a vessel, please consult your State Program Coordinator (SPC) in CG-BSX-21).
 - (15) Occurrences meeting vessel-use exceptions, including non-propelled residential platforms; vessels used for solely governmental or criminal activities; and vessels engaged in sanctioned-activity events that are exempted from being state numbered since they are used exclusively for racing.
 - (16) Person suffers injury while boarding or departing a docked, moored, or anchored vessel, when no other occurrence and no other federal regulatory reporting threshold was met.
 - (17) Interaction with natural phenomena, when no other event occurred and when no other federal regulatory reporting threshold was met.
 - (18) Fire or explosion when the vessel is not involved in fueling or starting or not attributed to the vessel's equipment or electrical components.
- c. **Reportable but excluded from reference (f).** The following occurrences require reporting if they meet the parameters of reference (b) but are not included for statistical purposes in reference (f):
- (1) When the recreational vessel is foreign flagged and using waters subject to U.S. jurisdiction, unless a recreational U.S.-flagged vessel is involved.

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- (2) Occurrences that solely involve a state-numbered uninspected commercial vessel.
6. Disclaimer. This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. The guidance is not intended to nor does it impose legally-binding requirements on any party. This guidance represents the Coast Guard's current thinking on this topic and may assist States, the general public, and the Coast Guard, in applying statutory and regulatory requirements.
7. Questions. Questions from the public concerning incident reporting should be directed to Commandant (CG-BSX-2), Boating Safety Division, at RBSInfo@uscg.mil.

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Dist: U.S. State, Territory, and the District of Columbia Boating Law
Administrators
USCG Coast Guard District Prevention Divisions