



California Boater Card Program Report

California Department of Parks and Recreation
Division of Boating and Waterways

Jan. 1, 2023 – Dec. 31, 2023



Report Released April 2024

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Program Report



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California Department of Parks and Recreation

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- **Tom Trainor**, California Yacht Brokers Association

Our Mission

To provide safe and convenient public access to California's waterways and leadership in promoting safe, enjoyable and environmentally-sound recreational boating.



Table of Contents

- Introduction 6**
 - About the Division of Boating and Waterways..... 6*
 - About the Technical Advisory Group 7*
- Legislation..... 7**
- Program Report 13**



Introduction

On Sept. 18, 2014, Governor Edmund G. Brown Jr. signed [Senate Bill 941](#) (Monning, Ch. 433, Statutes of 2014) promoting boating safety education for California boat operators. U.S. Coast Guard statistics indicate that states with mandatory boating education have fewer accidents and fatalities than those without the requirement. Senate Bill (SB) 941 requires the California Department of Parks and Recreation (DPR) Division of Boating and Waterways (DBW) to develop a vessel operator card program. The California Boater Card (CBC) Program, which is being phased in by age over a period of eight years, requires operators of engine-propelled vessels to pass a boater safety exam, in order receive a CBC.



In determining the fees for the CBC, this legislation required DBW to establish and consult with a technical advisory group. SB 941 allowed DBW to borrow up to \$4 million dollars from the Harbors and Watercraft Revolving Fund (HWRP) to develop and establish a cost-neutral program, which can only generate revenue equal to operational costs and required to repay the loan by Jan. 1, 2023. In addition, the bill also requires DBW to post an annual report on its [website](#) beginning April 1, 2019. In 2023 and 2028, the report must include recommendations, in consultation with the technical advisory group, relating to any program changes to improve boater safety in California, or alternatively, reasons why the program should not be continued.

About the Division of Boating and Waterways

DBW, formally known as Department of Boating and Waterways, was established in 1957 upon enactment of legislation supported by the recreational boating community. That legislation established a state boating agency dedicated to all aspects of recreational boating and a special account, the HWRP, to its activities.

In July 2013, the Department of Boating and Waterways merged with the DPR. The merger was part of Governor Brown's 2012 Reorganization Plan to consolidate and simplify the state's organizational structure. The plan added efficiencies by combining and streamlining duplicative functions, thereby reducing costs, and saving taxpayer dollars. The merger left intact the major organizational structure of Boating and Waterways within DPR, including its principal mission, functions and funding for boating constituencies across the state.

About the Technical Advisory Group

SB 941 required DBW to establish and consult with a technical advisory group to determine the amount of fees for the CBC. The members of the technical advisory group were appointed by DPR's Director in 2015. The technical advisory group members consisted of interested persons including, but not limited to, representatives of the boating community.

Legislation

Senate Bill No. 941

CHAPTER 433

An act to add Article 1.4 (commencing with Section 678) to Chapter 5 of Division 3 of the Harbors and Navigation Code, relating to vessels.

[Approved by Governor Sept. 18, 2014. Filed with Secretary of State Sept. 18, 2014.]

SB 941, Monning. Vessel operator cards.

(1) Existing law prohibits the operation or navigation of a for-hire vessel, as defined, in the waters of California while carrying passengers, except by a person who holds a valid operator's license issued by the Division of Boating and Waterways. Under existing law, a person applying for an operator's license is required to undergo an examination, that may include, among other things, an inspection of the for-hire vessel.

Existing law requires the division to approve boating safety courses and personal watercraft education courses, as specified.

This bill would prohibit the operation of a vessel that is propelled by an engine in the waters of the state except by a person who is in possession of a valid vessel operator card developed and issued by the division and would impose that prohibition on persons pursuant to a specified schedule. The bill would exempt certain persons from that requirement, as specified.

The bill would require the division, on or before Jan. 1, 2018, to develop vessel operator cards and issue a vessel operator card to a person who provides the division with proof that the person has passed a vessel operator examination and would authorize the division to develop an examination. The bill would require the division to provide links to approved examinations on its Internet Web site. The bill would require the division to charge specified fees for those cards, would establish the Vessel Operator Certification Account in the Harbors and Watercraft Revolving Fund, and would require the fees to be

deposited in that account. The bill would authorize the division to expend the moneys in the account, upon appropriation by the Legislature, for purposes of the vessel operator card program.

The bill would require an amount not to exceed \$4,000,000 to be transferred, upon appropriation in the annual Budget Act, from the Harbors and Watercraft Revolving Fund to the Vessel Operator Certification Account in the form of a loan to be used by the division to develop and establish the program. The bill would require the division to repay the loan from fees received from the issuance of vessel operator cards within 8 years of the effective date of this act.

The bill would require the division on or before April 1, 2019, and annually thereafter, to prepare a report that contains specified information, including, among other things, the total number of vessel operator cards issued, and the number of violations reported to the division. The bill would also require the division on or before April 1, 2023, and again on April 1, 2028, to post on its Internet Web site specified recommendations relating to the program.

The bill would provide that a violation of the bill's provisions is an infraction and would require a court to order a person who violates those provisions to complete and pass a boating safety course approved by the division. By creating a new crime, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Article 1.4 (commencing with Section 678) is added to Chapter 5 of Division 3 of the Harbors and Navigation Code, to read:

Article 1.4. Vessel Operators' Education and Certification Cards
678.

(a) On or before Jan. 1, 2018, the division shall develop a vessel operator card to be issued pursuant to this article.

(b) The division shall issue, or cause to be issued, a vessel operator card to a person who provides the division with proof that the person has passed a vessel operator examination approved by the division or a vessel operator course that includes an examination and is approved by the division pursuant to Section 668.1 or 668.3.

(c) A vessel operator card shall be valid for the life of the person to whom it is issued.

678.3.

(a) (1) The division shall determine the fees required under this section in amounts sufficient to cover the reasonable costs of the development, establishment, and operation of the program. The fees shall not exceed those costs.

(2) The division shall charge a fee not to exceed thirty dollars (\$30) for the initial vessel operator card issued pursuant to subdivision (b) of Section 678.

(3) The division shall charge a fee not to exceed ten dollars (\$10) for a duplicate vessel operator card issued pursuant to subdivision (b) of Section 678.

(b) In determining the amount of the fees imposed pursuant to this section, the division shall establish, and consult with, a technical advisory group consisting of interested persons, including, but not limited to, representatives of the boating community. The director shall appoint the members of the advisory group.

(c) The fees collected pursuant to this section shall be deposited in the Vessel Operator Certification Account, which is hereby established within the Harbors and Watercraft Revolving Fund.

(d) The division may expend the moneys in the Vessel Operator Certification Account, upon appropriation by the Legislature, for purposes of implementing this article.

678.5.

(a) The division may develop and provide a vessel operator examination on the division's Internet Web site. The division shall provide links from the division's Internet Web site to other vessel operator examinations approved by the division that are available through a provider whose course has been approved by the National Association of State Boating Law Administrators.

(b) If the division contracts for the provision of vessel operator examination services with test vendors, the division shall conduct a formal competitive bid process and shall contract with more than one vendor for those services.

(c) A vessel operator examination developed or approved by the division shall be consistent with the National Association of State Boating Law Administrators' National Boating Education Standards, as applicable to basic vessel operations, rules of navigation, and boating safety only.

678.7.

(a) An amount not to exceed four million dollars (\$4,000,000) shall, upon appropriation in the annual Budget Act, be transferred from the Harbors and Watercraft Revolving Fund to the Vessel Operator Certification Account in the form of a loan to be used by the division to develop and establish the program under this article.

(b) The division shall repay the loan described in subdivision (a) from fees received pursuant to Section 678.3 within eight years of the effective date of this article.

(c) If the division has not repaid the loan within the time period specified in subdivision (b), the division shall notify the Joint Legislative Budget Committee.

(d) The loan shall not impair the intended expenditure purposes of the Harbors and Watercraft Revolving Fund.

678.9.

(a) On or before April 1, 2019, and on or before April 1 annually thereafter, the division shall prepare a report that includes all of the following information with respect to the prior calendar year:

(1) The total number of vessel operator cards issued pursuant to this article.

(2) The fees collected, and the costs incurred, by the division pursuant to this article.

(3) The correlation between vessel operator cards issued and the number of accidents, injuries, and fatalities related to the operation of vessels in the state that are reported pursuant to Section 656.

(4) The number of violations of this article reported to the division.

(b) The report shall be posted on the division's Internet Web site.

(c) On or before April 1, 2023, and again on April 1, 2028, the report prepared by the division and posted on its Internet Web site shall include recommendations, developed by the division, in consultation with the technical advisory group established pursuant to subdivision (b) of Section 678.3, relating to any program changes to improve boater safety in California or, alternatively, reasons why the program should not be continued.

678.11.

(a) Subject to the schedule in subdivision (b), a person shall not operate on waters subject to the jurisdiction of the state a vessel that is propelled by an engine, regardless of whether the engine is the principal source of propulsion, unless the person has in his or her possession a vessel operator card issued by the division pursuant to subdivision (b) of Section 678.

(b) A person is subject to subdivision (a) according to the following schedule:

(1) On and after Jan. 1, 2018: A person 20 years of age or younger.

(2) On and after Jan. 1, 2019: A person 25 years of age or younger.

(3) On and after Jan. 1, 2020: A person 35 years of age or younger.

(4) On and after Jan. 1, 2021: A person 40 years of age or younger.

(5) On and after Jan. 1, 2022: A person 45 years of age or younger.

(6) On and after Jan. 1, 2023: A person 50 years of age or younger.

(7) On and after Jan. 1, 2024: A person 60 years of age or younger.

(8) On and after Jan. 1, 2025: All persons, regardless of age.

(c) This section does not apply to any of the following:

(1) A person who is a resident of another state or a foreign country who is operating a vessel and meets either of the following requirements:

(A) The person is temporarily using the waters of this state for a period not to exceed 60 days, and meets the applicable requirements, if any, of his or her state of residency.

(B) The person is temporarily using the waters of this state for a period not to exceed 90 days, and meets the applicable requirements, if any, of his or her country of residency.

(2) A person operating a vessel while under the direct supervision of a person 18 years of age or older who is in possession of a vessel operator card issued pursuant to subdivision (b) of Section 678 or who is not required to possess a vessel operator card pursuant to paragraph (6).

(3) A person operating a vessel in an organized regatta or vessel race, or water ski race.

(4) A person operating a rental vessel.

(5) A person who is in possession of a current commercial fishing license.

(6) A person who is in possession of a valid marine operator license, for the waters upon which the licensee is operating, issued by the United States Coast Guard, or who is in possession of a valid certificate issued pursuant to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.

(7) A person who has successfully completed a boating course approved by the Commission on Peace Officer Standards and Training.

678.15.

(a) A violation of this article is an infraction.

(b) A person convicted of an infraction for a violation of this article shall be punished as follows:

(1) For an initial conviction, by a fine of not more than one hundred dollars (\$100).

(2) For a second conviction, by a fine of not more than two hundred fifty dollars (\$250).

(3) For a third or subsequent conviction, by a fine of not more than five hundred dollars (\$500).

(c) A fine imposed on a vessel operator pursuant to subdivision (b) shall be waived, if the vessel operator provides proof that he or she had a valid vessel operator card at the time of the citation.

(d) (1) In addition to the fines imposed by subdivision (b), the court shall order a person convicted of violating this article to complete and pass a boating safety course approved by the division pursuant to Section 668.3.

(2) If a person who is ordered to complete and pass a boating safety course pursuant to paragraph (1) is 18 years of age or younger, the court may require that person to obtain the consent of a parent or guardian to enroll in that course.

(3) A person who has been ordered by a court to complete a boating safety course pursuant to paragraph (1) shall submit to the court proof of completion and passage of the course within seven months of the date of his or her conviction. The proof shall be in a form that has been approved by the division and that is capable of being submitted to the court or a state or local agency approved by the division through the United States Postal Service or another certified means of transmission.

SEC. 2.

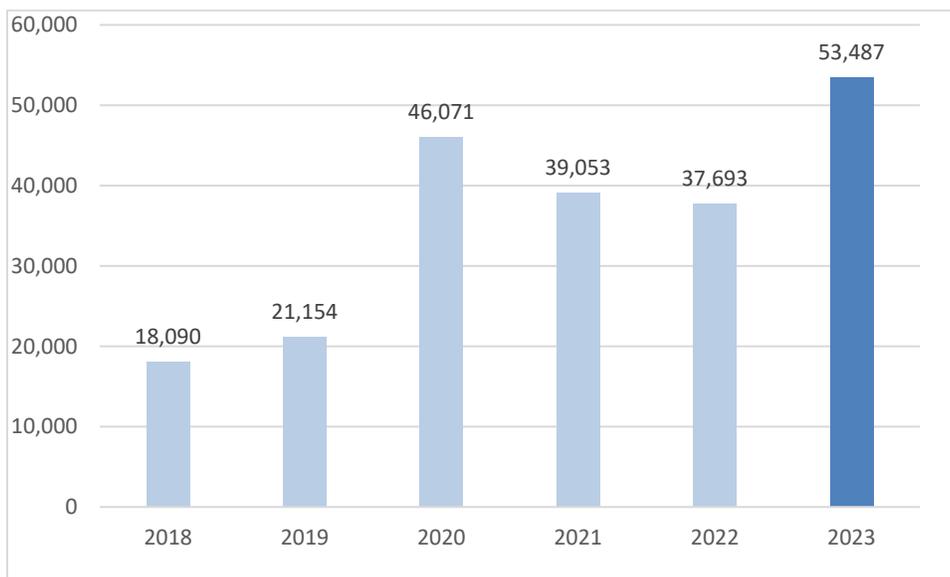
No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

2023 Program Report

Cards Issued, Courses, Funding, Regulations, Reported Violations, Outreach and Statistics



Cards Issued: In 2023, DBW issued 53,487 California Boater Cards. As of Jan. 1, 2024, DBW has issued a total of 216,410 cards since the program began operating in 2018. The graph below shows the number of cards issued each year from 2018-2023.



Courses: There are currently 16 approved boating safety courses that meet the education requirement for the California Boater Card program, all of which are posted to the CBC website. Courses consist of online, in-person, and virtual options. The DBW home-study course has also been translated to Spanish, making DBW the first to produce a Spanish language boating safety course in California that is approved by the National Association of State Boating Law Administrators (NASBLA).

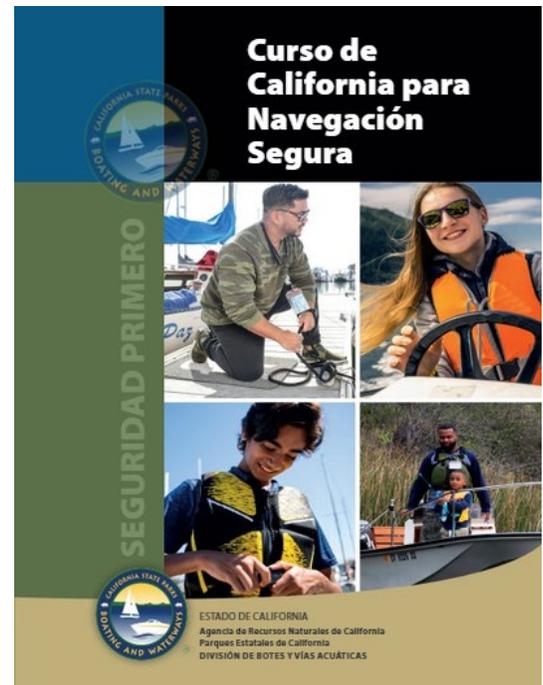
Funding: In 2023, the program generated \$648,070 in revenue from CBC applications. The expenditures associated with the program totaled approximately \$335,854. The expenditures associated with the program include personnel services (salaries and benefits), and operating expenses and equipment (marketing and outreach, printing, office supplies, training, and contracts).

Regulations: The first rulemaking package for the CBC, which established the fee for the card, was approved on Dec. 16, 2019, and is now part of the California Code of Regulations under *Title 14, Division 4, Chapter 1, Article 12. Vessel Operators' Education and Certification Cards*. DBW is in the process of completing a second rulemaking package that will define the application process, course and exam standards, and card exemptions.

Reported Violations: Of the 37 counties and two cities that participate in DBW's Boating Safety and Enforcement Financial Aid Program, marine law enforcement officers reported 1,258 boater card warnings and 488 boater card citations.

Outreach and Advertising: DBW attended events such as boat shows, outdoor shows, county fairs and safety fairs in 2023 promoting the California Boater Card. Google search advertisement was the primary digital marketing tool used which provided optimal return on investment of the marketing spend. Online engagement was the primary communication method and the CBC program generated more than 596,000 impressions through online advertising, resulting in over 260,000 new visits to the CBC website and over 846,000 page views. Additionally, the division distributed more than 8,000 CBC print materials. DBW plans to continue its advertising efforts in 2024 through Google search advertising, social media, and other digital marketing. The division will also be attending events including boat shows, outdoor shows, and fairs.

Accident Statistics: DBW works closely with marine law enforcement agencies to track the correlation between accidents, injuries, and fatalities and if the operators of those



accidents had obtained a CBC. In 2023, there were 440 operators involved in a reported boating accident, 168 operators involved in an accident with injuries, and 30 operators involved in an accident with fatalities. Of the 440 operators involved in a reported boating accident, 58 operators possessed a CBC. Of those operators involved in a boating accident with an injury, 19 operators possessed a CBC, and 0 operators possessing a CBC were involved in a fatality accident.

The table below shows the accidents, injuries, and fatalities, as they relate to the CBC. It is possible for a boater to have completed boater education and not currently be required under the law to possess a CBC. Boaters may also fall into several exemption fields for the CBC where only one field can be represented on the accident form.

Table 1: Operators Involved in a Boating Accident, Injury, or Fatality in Correlation to the CBC

Possession of a California Boater Card	Operators Involved in a Boating Accident	Operators Involved in an Accident with an Injury	Operators Involved in a Fatal Boating Accident
Yes	58	19	0
No	147	71	5
Exempt – Age Group	124	37	16
Exempt – Non-CA Resident	21	6	2
Exempt – Non-US Resident	1	0	0
Exempt – Other	14	4	0
Exempt - Rental	56	25	2
Exempt – USCG Captains License	7	1	0
Exempt – Non-Motorized	12	5	5
Total Operators	440	168	30