



# RBOC

Protecting your boating interests.

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**FINAL 2017**

# BOATER BRIEF

## End-of-Year Update - December 2017

RBOC has been active on a number of fronts advocating boater interests as the legislative and executive branches of state government have considered proposals that would impact a broad range of boating activity.

These issues include:

### State Parks Transition Plan

RBOC is expressing concerns that the implementation of the recently-announced State Parks transition plan could have a negative impact on the effective use of boater fees and taxes for programs and services that benefit the state's recreational boaters.

This could be the result of moving important programs outside the organizational structure of the Division of Boating and Waterways, and diminishing the comprehensive leadership and management role of the Deputy Director of the Division.

### 2nd Home Mortgage Interest Deduction

RBOC, individual boaters and the real estate industry have advocated against legislation that proposes to eliminate the current state mortgage interest deduction on second homes.

AB 71 [Chiu] was not taken up on the Assembly Floor and may be considered in 2018.

### Copper-based Bottom Paint

RBOC continues to advocate that any prohibitions on the use of copper-based anti-fouling paints must be based on presence of effective, available and affordable alternatives to copper-based anti-fouling paints.

The science supporting proposed rules is questionable, and converting to copper-free paint can cost a boater between \$8,000 and \$15,000.

### Delta "WaterFix" Tunnel Project

Based on its negative impact on recreational boating, RBOC is opposed to the California WaterFix. Significant waterways will be closed during the estimated 14-year construction period.

There is no plan to ensure that the Delta infrastructure will not only be preserved but improved, and there is a lack of certainty that the plan will address the threats that climate change and increased water transfer to water quality pose to the amount and quality of water in the Delta.

### Vessel Operator Certification

Starting in January 2018, recreational vessel operators of motorized vessels will be required to pass a boating exam after which they will be issued a certification card.

The process will first address individuals 20 and younger and then proceed to include boaters of all ages.

RBOC supported the legislation that was enacted to establish this program. The organization worked to have the program established at DBW, rather than DMV, to ensure that the certificate fees would be reasonable, and to provide for a lifetime certificate rather than a licensure program.

### Boating Under the Influence

Drunk boaters are as dangerous to the public as drunk drivers. RBOC, together with law enforcement and industry groups, is helping implement the laws and supporting the continuation of millions of dollars in boater fees and taxes to rid the waterways of intoxicated boaters.

RBOC was pleased that provisions were removed from SB 65 [Hill] that would have specifically prohibited persons from drinking any alcoholic beverage while operating a vessel.

The current, extensive provisions of state law strike an effective balance that prevents BUI, effectively enforces the extensive state BUI laws, and acknowledges the boating experience.

Another measure proposed providing the court with authority to impound, for up to 30 days, a boat used in a violation of BUI if the owner is convicted and the conduct resulted in the unlawful killing of a person

The Governor vetoed SB 644 [Stone]: "I do not see the need, in these tragic but narrow instances, to additionally expand the powers of government to impound private property as an added punitive measure. Because this bill will not act as a deterrent, and existing criminal and civil penalties are sufficient to address the conduct contemplated, I am returning this measure without my signature."

### Enhancement of Emergency Blue Lights

Legislation was considered this year to expand the kinds of vessels that are eligible to use distinctive blue lights to include fire department and fire protection district vessels while engaged in public safety activities.

The RBOC-supported AB 78 [Cooper] has been enacted and will take effect on January 1, 2018.

### **Invasive Aquatic Species**

Legislation was pursued to place into law the requirement that DBW collaborate with the California Conservation Corps and use members of the corps in implementing its invasive aquatic plants control programs.

The RBOC-supported SB 704 [Galgiani] has been enacted into law and will take effect on January 1, 2018.

Legislation was also introduced to impose a quagga and zebra mussel infestation prevention fee of up to \$50 annually, on non-resident owners of a vessel, to be paid before the vessel is placed in the state's waterways.

AB 1587 [Levine] was held under submission in the Senate Appropriations Committee.

### **Gas and Diesel Fuel Tax Increase**

SB 1 [Frazier] has been enacted into law to impose a new 12 cents per gallon motor vehicle gasoline tax increase, and a new 20 cents per gallon diesel fuel tax

increase.

RBOC is working to ensure that the portion of the new gasoline taxes attributable to boats placed in the State Parks and Recreation Fund will be used only for boating-related programs.

Signatures are being gathered to place this issue before the state's voters for possible repeal.

### **Smoking in State Parks, on Beaches**

Two measures were pursued to prohibit smoking on a state coastal beach or in a unit of the state park system, and to establish fines.

The Governor vetoed AB 725 [Levine] and SB 386 [Glaser]: "If people can't smoke even on a deserted beach, where can they? There must be a limit to the coercive power of government."

### **Chemicals in Vessel Waste Facilities**

Legislation was amended later in the legislative session to prohibit the sale of a nonbiodegradable toxic chemical in a container that indicates that the chemical could be used in a chemical toilet, a waste facility of a recreational vehicle, or

a waste facility of a vessel.

AB 852 [Caballero] did not proceed through the Legislature and can be considered next year.

### **Join our Cause – Become a Friend of RBOC**

Joining the Friends of RBOC is the best and easiest way to show your support! Your contribution at any level helps RBOC continue the grassroots effort and advocacy activities needed in California to ensure boaters can continue to enjoy boating!

By contributing at least \$20 for the 2017 year, and providing your eMail address, you will be included in exclusive communication from RBOC about upcoming boating issues and successes.

Join us today at any one of our contribution levels at:

[www.rbo.org/friendssignup](http://www.rbo.org/friendssignup)

\$20 Bronze

\$50 Silver

\$100 Gold

\$500 Platinum

Please note that, due to RBOC's extensive lobbying activities, contributions are not tax deductible.

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