



TENNESSEE WILDLIFE RESOURCES AGENCY

Ellington Agricultural Center
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January 19, 2007

Re: Request for Comments – Coast Guard Boating Accident Report Form (CG-3865), Docket Number: USCG-2006-24068

To Whom It May Concern:

The following comments are submitted by the Tennessee Wildlife Resources Agency, Boating Division with respect to the revised draft of USCG Form (CG-3865), Docket Number: USCG-2006-24068.

1. Code of Federal Regulations, Title 33, Volume 2, Chapter I, Part 173, Section 173.55 requires the operator or when such operator is unable to do so the owner of each vessel involved in an accident or casualty to file a report when the accident meets the requirements outlined in this section as well as the time period within which that report must be filed. Further this section references the report requirements as outlined in Section 173.57.
2. The reporting authority to which the report shall be filed is also referenced and can be found in Section 173.59.
3. The information required in the report is further prescribed in Section 174.107.

“Each form for reporting a vessel casualty or accident must contain the information required in §173.57 of this chapter. “

4. Finally, although not referenced in Section 173.55 an important component of this process as prescribed in Section 174.121, addresses the reporting authority's responsibility to forward the information contained in the report.

“Within 30 days of the receipt of a casualty or accident report, each State that has an approved numbering system must forward a copy of that report to the Commandant (G-OPB), U.S. Coast Guard, 2100 Second Street, SW., Washington, DC 20593-0001”

With this process in mind the following comments are submitted to clarify the information required of the operator/owner and further the information required to be reported to the U.S. Coast Guard by the reporting authority within the prescribed time period.

This is not be confused with the very important information that should be gathered by an investigation conducted by a reporting authority or the information gathered by a reporting authority in a boating accident report form used by the reporting authority.

Information requested on form CG-3865 (Rev. 12-06) that does not appear to be prescribed by Section 173.57 is as follows:

1. Page 1 – The operator’s gender, male or female.
2. Page 1 – Operator wearing a safety lanyard at the time of the accident.
3. Page 1 – Rented vessel (yes or no).
4. Page 1 – Current vessel safety check (VSC) (yes or no).
5. Page 1 – Operator arrested due to boating under the influence (BUI) for this accident only.
6. Page 1 – Operator blood alcohol concentration (BAC) level.
7. Page 2 – Engine(s) used to propel the vessel, (number of engines).
8. Page 2 – Did the accident result in a “Hit and Run”?
9. Page 2 – Vessel speed at the time of the accident. (not moving, etc...)
10. Page 3 – (Injured victim information) Age of victim
11. Page 3 – (Injured victim information) Was injured victim admitted to the hospital?
12. Page 3 - (Injured victim information) Was a life jacket worn by the victim inflatable?
13. Page 3 – (Injured victim information) Type of life jacket worn (Type I, etc...)
14. Page 3 - (Injured victim information) Injury caused by (Check all that apply)
15. Page 3 – (Injured victim information) Alcohol use apparent by the injured victim
16. Page 3 – (Injured victim information) Blood alcohol concentration (BAC)
17. Page 3 – (Injured victim information) Drug use apparent by the injured victim
18. Page 3 – (Injured victim information) Specify the type(s) of drugs being used:
19. Page 3 – (Injured victim information) Victim status at the time of the accident
20. Page 3 – (Injured victim information) Victim activity at the time of the accident
21. Page 3 – (Deceased victim information) Was victim struck by the propeller?
22. Page 3 – (Deceased victim information) Was victim struck by the vessel?
23. Page 3 – (Deceased victim information) Was the life jacket worn by the victim inflatable?
24. Page 3 – (Deceased victim information) Type of life jacket worn
25. Page 3 – (Deceased victim information) Victim status at the time of the accident
26. Page 3 – (Deceased victim information) Victim activity at the time of the accident
27. Page 3 – (Deceased victim information) Alcohol use apparent by the victim
28. Page 3 – (Deceased victim information) Blood alcohol concentration (BAC) level:
29. Page 3 – (Deceased victim information) Drug use apparent by the victim
30. Page 3 – (Deceased victim information) Type(s) of drugs being used:
31. Page 4 – (Witness information) Telephone number
32. Page 4 – (Owners of property information) Telephone number
33. Page 4 – (Operator or owner of other vessel(s) information) Telephone number

Information prescribed by Section 173.57 and not requested on form CG-3865 (Rev.12-06):

1. The type and amount of each fire extinguisher used.

For ease of use, it is suggested that the description of other property damage and the value of the other property damage be located in boxes adjacent to one another on page 1.

The same would be true of the description of the vessel damage and the value of the vessel damage.

Additionally in the section (Operator or owner of the other vessel), there could be more than two vessels involved. The statement: (If more than two vessels list on a separate sheet) should be added.

Again, these comments concerning required information for the Coast Guard Boating Accident Report Form (CG-3865) are not to be confused with the very important information that should be collected and used in the decision making processes to improve boating safety but to clarify information required by the Code of Federal Regulations for this particular form.

We respectfully submit these comments and thank you for this opportunity.