



1648 McGrathiana Parkway, Suite 360
Lexington, Kentucky 40511-1338
859.225.9487
NASBLA.org

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Docket Management Facility (M-30)
U.S. Department of Transportation
West Building Ground Floor, Room W12-140
1200 New Jersey Ave, SE
Washington, DC 20590-0001

Submitted via regulations.gov

RE: Docket No. USCG-2014-0713

On behalf of the National Association of State Boating Law Administrators (NASBLA), which represents the recreational boating law officials in the 50 states and six U.S. territories, I am writing to comment on the U.S. Coast Guard's **Notice of Intent to Submit an Information Collection Request to the Office of Management and Budget re State Registration Data**. We appreciate the opportunity to do so.

It is our understanding that the primary purpose of this Notice is to solicit public comment on the utility and other aspects of this data collected under 33 CFR 174.123 (Annual Report of Numbered Vessels) and submitted by the states to the Coast Guard on Form CGHQ-3923. We know that the content of the certificates of number—which are issued by the states and form the basis for this annual collection—is being affected by regulatory amendments cited in the Final Rule on Changes to Standard Numbering System [SNS], Vessel Identification System [VIS], and Boating Accident Report Database [BARD] (“final rule”) issued March 28, 2012. And we are aware that on Dec. 16, 2012, the Coast Guard received OMB approval for the SNS information collection (OMB control number 1625-0108) that was amended by the regulatory action. Our assumption is that the Coast Guard, in order to enforce the annual collection of the resulting registration data from the states, must now also seek OMB approval for this collection and for issuance of a valid control number.

In that context, we have reviewed the Notice, giving particular attention to the supporting statement and revised Form CGHQ-3923 presented in the agency's Paperwork Reduction Act Submission. Since NASBLA participated in the comment process that led to the issuance of the final rule, we do not have any comments regarding the terminology associated with the vessel types or primary operation or with the vessel length categories that appear on the revised form. Instead our primary intent in commenting is to seek clarification on certain points.

The first is regarding the “start date” for a state’s use of the revised Form CGHQ-3923.

We have noted that the version of Form CGHQ 3923 currently in use (REV 12/90) is presented at http://www.uscgboating.org/grants/state_grants.aspx, and that the version included in the supplemental material for USCG-2014-0713 is dated 06/14 and already appears online at <http://www.uscg.mil/forms/hq.asp> (without an OMB control number and without a form expiration date). Since the states are in different stages of transitioning to the new requirements cited in 33 CFR 174.19 and have until Jan. 1, 2017, to implement those requirements, we pose the following questions:

- If a state has already transitioned—or will soon transition—its numbering system and the content of the certificates of number over to the requirements cited in 33 CFR 174.19 (i.e., before the Jan. 1, 2017 implementation deadline), what version of the Form is it supposed to use?
- If, as a result of the ICR, the OMB formally approves the collection and issues an OMB control number to this revised Form 3923 before the Jan. 1, 2017 deadline for states to implement the new requirements, will a state that does not make the transition until the deadline be able to submit its data on the “old” version of the Form?
- If there are variations in the versions of the Forms employed by the states and submitted to the Coast Guard, how will the Coast Guard reconcile those differences in the computation and report-out of registration data?

The second area in which we request clarification concerns the scope of information requested on the revised Form 3923 in comparison to the “old” version.

In our comparison of the two versions of Form CGHQ 3923, we noted that only one aspect is the same—the vessel length categories. Otherwise, there are significant format and content differences. Some, such as the vessel type terms that appear on the revised Form, were anticipated as they are authorized in the revised CFR. However, while the “old” version of the Form further segments vessels by hull material and engine drive, the revised Form does not do so even though hull material and engine drive are still required by CFR and their terminology and definitions were standardized in the final rule. As a result, we are seeking clarification on the following:

- What is the rationale for omitting hull type and engine drive information in this revised collection form? We presume that this information is still of interest to the various sectors identified as users of the vessel registration data. We also presume that given the broad categories of vessel types authorized in the final rule, the inclusion of the hull and engine drive information might provide additional useful detail to the compilation.
- The Supporting Statement in the Paperwork Reduction Act Submission presents estimates of the Form completion burden (#12 and #13). What is the basis for the estimates in #12 and #13? Are the estimates in #12 and #13 associated with completing the old Form or the revised Form? Perhaps more importantly, if these are estimates for completing this revised Form, do they take into account the initial burden associated with the states' transitioning to this substantially revised reporting scheme?

A third area in which we seek clarification is regarding the title of the Form.

While the old CGHQ 3923 is titled "Report of Certificates of Number Issued to Boats," in accordance with the language of 33 CFR 174.123, the title of the revised CGHQ 3923 is "State Registration Data." As such, we have a question:

- What is the reason for the title change? Is there any relationship between this revision and anticipated efforts to bring CFR into agreement with the Uniform Certificate of Titling Act for Vessels (UCOTA-V)?

Whatever the rationale, if the ICR is approved by OMB, we presume that 174.123 will need to be revised to reflect the new title as it was not amended at the time of the other changes precipitated by the final rule.

We appreciate your consideration of these comments and our requests for clarification.

Sincerely,



Eleanor C. Mariani
President