



Dear New York Safe Boating Instructors,

This is notification of the approval of the new Rules and Regulations for the Boating Education Program Part 451 of Title 9 NYCRR on September 1, 2010.

We realize that this is a lot of written material, but we hope that you will take the time to read it and become ready to adapt to the changes that are coming. If you have any questions, please call our office at 518-474-0445 or the instructor only toll free number 1-888-274-6121.

You can read the full version of the Rules and Regulations at:

<http://www.nysparks.state.ny.us/inside-our-agency/documents/Rulemaking/SafeBoatingEducationText.pdf>

Below are some excerpts of the new regulation that have been adopted.

Students

- All students must have attained the age of 10 before taking the course.
- All replacement boating safety certificates have a \$10 processing fee regardless of age starting October 1st 2010. An updated form to request a replacement can be found on our website.
- Youths 10-17 will continue to receive an original permanent boating safety certificate at no cost.

Boating Safety Certificates

- Boating safety certificate exemptions are listed in section 451.5 of the New Rule & Regulation. Exempt persons must carry proof of that exemption while boating.
- Boating safety certificates may be suspended or revoked if an operator is found guilty of BWI or reckless operation of a vessel or PWC and the privilege to operate is suspended under Section 45 of the Navigation Law.
- NYS Parks may decline to issue a certificate for a student record form (SRF) that is missing, destroyed, or fraudulently completed.

Courses

- Courses must be offered in public training facility. Courses will no longer be allowed to be taught in private residences. Chairs and tables must be provided.
- All courses must be pre-registered with NYS Parks 14 days before the class is to be held. All courses must be registered before they can be advertised.
- Classes may vary in size from a minimum of 6 students to a maximum of 30 students per instructor.
- Course materials will be provided by NYS Parks, including the textbook and all supporting materials.

Instructors

- Students in a commercial course must be given a receipt.
- Students must be given a receipt if one is requested in a course taught by a volunteer where a room fee is charged or a donation is requested.
- NYS Parks retains discretionary authority to decline to send course materials and final examinations to an instructor or commercial organization
- All completed course paperwork must be returned within seven days of completion. Commercial organizations must return course paperwork within 21 days of completion.
- Commercial organizations – defined as any commercial entity with more than one instructor - will be required to meet a variety of new regulations, including certification by NYS Parks.
- Before instructors may be certified to teach they must have a satisfactory background check completed by State Parks, be a holder of NY Safe Boating certificate, and provide proof of their instructor qualifications.
- Instructor and commercial organizations may be suspended or have their certification revoked for violations of Rule and Regulation.
- Course advertising must not identify the boating safety certificate as a license nor make false or misleading claims or statements regarding the course.

Please read the new Rule & Regulation in its entirety as many things have changed. We hope that many of the changes will help the program run more smoothly, and ensure that a quality program is provided to the boating public.

As always thank you for the time and dedication to promoting safe boating. Your efforts are much appreciated.