

CONSENT CALENDAR

March 7, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Transportation to which was referred HB 137,

AN ACT relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Ted Gorski

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Transportation
Bill Number:	HB 137
Title:	relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees.
Date:	March 7, 2023
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill clears up a conflict with federal law. If New Hampshire does not comply with federal law, New Hampshire would jeopardize federal funds. The second part of the bill creates a committee to study collection and dispersal of boat registration fees.

Vote 20-0.

Rep. Ted Gorski
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Transportation

HB 137, relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees. **OUGHT TO PASS.**

Rep. Ted Gorski for Transportation. This bill clears up a conflict with federal law. If New Hampshire does not comply with federal law, New Hampshire would jeopardize federal funds. The second part of the bill creates a committee to study collection and dispersal of boat registration fees. **Vote 20-0.**

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 137

BILL TITLE: relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees.

DATE: March 7, 2023

LOB ROOM: 203

MOTIONS: **OUGHT TO PASS**

Moved by Rep. Gorski

Seconded by Rep. Dumais

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Karel Crawford, Clerk

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on 3/7/23

BILL TITLE: HB 137 relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registration fees.

DATE: 3/7/23

LOB ROOM: 201-203

MOTION: (Please check one box)

☒ OTP ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. Gorski Seconded by Rep. Dumais Vote: 20-0

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____
☐ Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ☒ YES ☐ NO

Minority Report? ☐ Yes ☐ No If yes, author, Rep: _____ Motion: _____

Respectfully submitted: _____

Karel Crawford
Rep Karel Crawford, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2023 SESSION

1/6/2023 12:39:16 PM
Roll Call Committee Registers
Report

Transportation

Bill #: HB 137 Motion: OTP AM #: _____ Exec Session Date: 3/1/23

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Walsh, Thomas C. Chairman	✓		
Gorski, Ted Vice Chairman	✓		
Smith, Steven D.	✓		
Crawford, Karel A. Clerk	✓		
Hill, Gregory G.	✓		
Dumais, Russell	✓		
O'Hara , Travis J. <i>Rep. Melvin</i>	✓		
Foote, Charles H	✓		
See, Alvin B	✓		
Sellers, John	✓		
Sykes, George E.	✓		
Rich, Cecilia	✓		
St. Clair , Charlie G. <i>Rep. Mangipudi</i>	✓		
Fox, Dru	✓		
Rombeau, Catherine	✓		
Veilleux, Daniel T.	✓		
Coker, Matthew	✓		
Jones, Philip M	✓		
Rich, Jeffrey	✓		
Staub, Kathy	✓		
TOTAL VOTE:	20	0	

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: HB 137 relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees.

DATE: 2/21/23

LOB ROOM: 201-203

Time Public Hearing Called to Order: 11:23 am

Time Adjourned: 11:53 am

Committee Members: Rep. Walsh, Gorski, Crawford, Smith, Hill, Dumais, O'Hara, Foote, See, Sellers, Sykes, C.Rich, St.Clair, Fox, Rombeau, Veilleux, Coker, Jones, J.Rich, Staub

Bill Sponsors: Rep. Creighton

TESTIMONY

- Use asterisk if written testimony and/or amendments are submitted.

Rep. Creighton - introducing the bill

This bill allows the commissioner of the department of safety to adopt by reference certain U.S. Coast Guard rules on boating safety equipment regulations and boating safety state numbering system regulations. The bill also establishes a committee to study boat registration fees

Q: Rep. Hill How much is getting from the federal funds?

A: Marine patrol will answer

Q: Rep. Sellers – What do the funds cover?

A: Fees

Rep. Mike Edges – supports with concern –

- Is hoping the coast will be represented on the committee
- I believe there is an interim study

Rep. Rebecca McBeath – Supports

- 2 parts I would like the sponsors to add to the bill on the representative to the committee.

Geno Marconi – Director of the Ports and Harbor Authority – Supports

- Separate entities self-funding and would appreciate the funds we would like to have the seacoast represented.

***John Whalley – NH Marine Trades Assoc.- Supports**

***Andrea LaMoraux President & Policy Advocate NH Lakes – Supports**

Q: Rep. Hill – How much money do you receive from DES \$300,000 and 800,000 from local support?

Roger Groux – Chairman of the NH Port Advisory Comm. – support the bill with an amendment

We want to make sure we are representative on this bill, right now we are not.

Q: Rep. Sellers – It does not say you do not have a seat at the table?

A: We just want to make sure we do.

Rep. Tim McQuough – Supports

And would be happy to serve on this committee.

***Tim Dunleavy – Marine Patrol – Supports**

Receives 1.75 million federal funds. This is a housekeeping bill.

Q: Rep. Hill - would we lose this funding if we do not comply?

A: Yes it would be a percentage of that money.

Q: How much in Boat fees are we distributing – 100,000 boats registered

A: \$9.50 goes DES, \$1 goes to fish and game fund \$2 goes to dredging fund at Pease for the coast – That is \$17.50 would have to come from another source or we lose a portion.

Q: Is there another committee that could do this?

A: Don't know.

Respectfully submitted,

Rep. Karel Crawford, Clerk

To Register Opinion If Not Speaking

Date: 2/21/23

**** Please Print All Information ****

[illegible]

House Remote Testify

Transportation Committee Testify List for Bill HB137 on 2023-02-21

Support: 40 Oppose: 1 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Maraio, LMAC Chair, Jared	Meredith, NH Jared@cruisenh.com	A Member of the Public	Lakes Management Advisory Committee	Support	No	No	2/17/2023 12:35 PM
Tremblay, RMAC Chair, Michele L.	Penacook, NH MLT@naturesource.net	A Member of the Public	Rivers Management Advisory Committee	Support	No	No	2/17/2023 3:16 PM
RHOADES, CHARLES	Dover, NH chuckrhoades@comcast.net	A Member of the Public	Myself	Support	No	No	2/17/2023 3:30 PM
Powell, Scott	Meredith, NH scottpowellnh1@gmail.com	A Member of the Public	Myself	Support	No	No	2/17/2023 3:38 PM
Beardsley, David	Sunapee, NH dlbeard@comcast.net	A Member of the Public	Myself	Support	No	No	2/17/2023 4:41 PM
LESSER, CHARLOTTE	STODDARD, NH CBLESSER@GMAIL.COM	A Member of the Public	Myself	Support	No	No	2/17/2023 4:52 PM
Greer, Stuart	Sunapee, NH Bsgreer@msn.com	A Member of the Public	Myself	Support	No	No	2/17/2023 5:05 PM
Colby, Rose	Hampstead, NH rosecolby@icloud.com	A Lobbyist	Myself	Support	No	No	2/17/2023 5:15 PM
Bishop, Kirk	Sunapee, NH kcbishop18@gmail.com	A Member of the Public	Myself	Support	No	No	2/18/2023 8:44 AM
LaMoreaux, NH LAKES, Andrea	Concord, NH alamoreaux@nhlakes.org	A Lobbyist	NH LAKES	Support	No	No	2/18/2023 10:35 AM
Kaplan, Peter	Deering, NH petermmkaplan@aol.com	A Member of the Public	Myself	Support	No	No	2/18/2023 12:11 PM
Walton, Kenneth	Spofford, NH krwper038@gmail.com	A Member of the Public	Myself	Support	No	No	2/18/2023 12:40 PM
Rayner, Ronald	Concord NH, NH eiwm@comcast.net	A Member of the Public	Myself	Support	No	No	2/18/2023 1:00 PM

Martin, Holly	Northwood, NH holly.lhplpa@aol.com	A Member of the Public	Myself	Support	No	No	2/18/2023 1:07 PM
Edgar, Mike	Hampton, NH michael.edgar@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	2/18/2023 4:04 PM
Pope, Pauline	Moultonborough, NH pauline.pope@roadrunner.com	A Member of the Public	Myself	Support	No	No	2/19/2023 9:58 AM
Hoene, Ernest	Moultonborough, NH emaxhoene21@gmail.com	A Member of the Public	Myself	Support	No	No	2/19/2023 10:14 AM
Scarborough, Dave	Silver Lake, NH dwscarborough@gmail.com	A Member of the Public	Myself	Support	No	No	2/19/2023 11:50 AM
Birdsall-Stone, Suzanne	Silver Lake, NH Sbirdstone@roadrunner.com	A Member of the Public	Myself	Support	No	No	2/19/2023 12:06 PM
Leech, Kathy	Madison, NH keleech@hotmail.com	A Member of the Public	Myself	Support	No	No	2/19/2023 12:07 PM
Morean, CLAUDIA	Miami, FL Claudiavmorean@gmail.com	A Member of the Public	Myself	Support	No	No	2/19/2023 12:56 PM
Hunter, Karen	Silver Lake, NH Rkhunter5@gmail.com	A Member of the Public	Myself	Support	No	No	2/19/2023 2:21 PM
Monroe, Sharon	Concord, NH monroenh@aol.com	A Member of the Public	Myself	Support	No	No	2/19/2023 2:38 PM
Thornton, Stephanie	Sanbornville, NH saythornton@gmail.com	A Member of the Public	Myself	Support	No	No	2/19/2023 3:41 PM
Kramer, Ted	madison, NH ted@silverlakekramers.com	A Member of the Public	Myself	Support	No	No	2/19/2023 3:48 PM
Scarborough, Tracy	Silver Lake, NH tracyscarborough@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 6:03 AM
wilkinson, janet	madison, NH janetbwilkinson@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 6:07 AM
Thornton, Glenn	Sanbornville, NH grthornton@hotmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 8:07 AM
Knightly, Scott	Northwood, NH scottk@envirovantage.com	A Member of the Public	Myself	Support	No	No	2/20/2023 11:03 AM
Oberlander, Jane	Madison, NH janeoberlander603@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 11:30 AM
Keller, Cheryl	Bedford, NH cakeller603@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 1:03 PM

MacNeill, Lori	Silver Lake, NH lmacneill59@hotmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 1:05 PM
Epstein, George	Madison, NH Georgeslepstein@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 1:25 PM
Epstein, Audrey	Madison, NH audreyepstein984@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 1:29 PM
Perin, Randy	Moultonborough, NH dmdow923@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 4:20 PM
Smith, Suzanne	Hebron, NH zanne719@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 5:05 PM
Gadot, Lauren	Madison, NH Lauren.stelljes@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2023 11:03 PM
Russman, Rick	Kingston, NH richardrussman@gmail.com	An Elected Official	Myself	Support	No	No	2/21/2023 7:47 AM
Mobley, Marty	Concord, NH Martha.V.Mobley1@wildlife.nh.gov	State Agency Staff	NH Fish and Game	Support	No	No	2/21/2023 10:35 AM
King, Jennifer	North Hampton and Milton, NH king.jen@comcast.net	A Member of the Public	Myself, NH Lakes and Three Ponds Protective Association	Support	No	No	2/21/2023 10:37 AM
Johnson, Dawn	Laconia, NH staterep@dawnjohnson4nh.com	A Member of the Public	Myself	Support	No	No	2/21/2023 11:40 AM

N.H. Lakes Management Advisory Committee

[N.H. Lakes Management and Protection Program](https://www.lmac.des.nh.gov/)
29 Hazen Drive; PO Box 95; Concord, NH 03302-0095; Tel: [603-271-8811](tel:603-271-8811)
<https://www.lmac.des.nh.gov/>

February 21, 2023

The Honorable Thomas Walsh, Chair
House Transportation Committee
Legislative Office Building, Room 203
Concord, NH 03301

RE: HB 137 - AN ACT relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registration fees.

Dear Chair Walsh and Members of the Committee:

The Lakes Management Advisory Committee (LMAC) is writing to express its **support of House Bill 137**, which establishes a committee to study boat registration fees.

At the time of boat registration, New Hampshire currently collects \$17.50 in additional fees. These fees are used for search and rescue, public boat access, coastal pier maintenance, and the lake restoration fund. The lake restoration fund is the sole source of funding for the state's program to prevent and manage aquatic invasive species, which includes providing grants to non-profit organizations and municipalities for work to address aquatic invasive species.

Aquatic invasive species spread rapidly if left untreated. Their dense populations hinder boat navigation, negatively affect recreational enjoyment, and harm populations of native species. Since aquatic invasive species are easily transported from waterbody to another when boats are used in multiple places, the current fee structure ties the funding source to a community that benefits from clean waterways and whose actions are most likely to inadvertently cause the spread of aquatic invasive species. Having a reliable, dedicated source of funding that is adequate to combat aquatic invasive species is critical to the public's continued enjoyment of New Hampshire lakes, including the associated economic benefits.

Stakeholders recently became aware that collecting these fees as part of boat registration is out of compliance with U.S. Coast Guard regulations. Without a change, Marine Patrol stands to lose as much as half of its annual funding. This is an issue facing multiple states. Other states have seen revenues drop significantly when they have separated their boat registration fee from fees used to support boat-related programs like safety, access, and aquatic invasive species work. A better solution is needed in order to protect these essential programs in New Hampshire.

Establishing a committee is an appropriate way to explore remedies that would be acceptable to all affected stakeholders, as well as allowing time for stakeholders across states to work with the federal government to see if the issue can be resolved at the national level. Consequently, the LMAC supports the study committee created in HB 137.

LMAC VOTING MEMBERS: Jared Maraio, Chair, NH Travel Council • Shane Bradt, Scientific Community • Ryan Cardella, Marine Trades Association • Tiffany Grade, Conservation Community • Sara Holland, NH Association of Realtors • Janet Kidder, Planning Boards • Frank Lemay, NH Business & Industry Assoc. • Andrea LaMoreaux, NH LAKES • Lisa Morin, State Conservation Committee • Susan Price, NH Fish & Game Commission • Dick Smith, Fishing Interests • Meredith Smith, Municipal Official • Steve Wingate, Conservation Commissions

LMAC NON-VOTING MEMBERS: Garret Graaskamp, Vice Chair, NH Fish & Game Dept. • Capt. Tim Dunleavy, NH Dept. of Safety • Eric Feldbaum, NH Dept. of Natural and Cultural Resources • Jennifer Gilbert, NH Dept. of Business and Economic Affairs • Mark Hemmerlein, NH Dept. of Trans. • Shawn Jasper, NH Dept. of Ag, Markets & Food

The Honorable Thomas Walsh
Chair, House Transportation Committee
HB 137 February 21, 2023
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The LMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483-A, the Lakes Management and Protection Program. The Governor and Council appointed Committee is comprised of 19 members representing academia, business, conservation organizations, lake associations, tourism, fish and game commission, marine trades, realtors, municipal government as well as several state agencies.

In conclusion, the LMAC supports HB 137 for the reasons stated above. Thank you for the opportunity to comment. Should you have questions, please feel free to contact me at (603) 366-5531 or Jared@cruisenh.com.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jared Maraio', with a stylized flourish at the end.

Jared Maraio, Chair

ec: Representatives Creighton, Vail, Harvey-Bolia, Harb, J. MacDonald, Post, Healey, and Horgan
LMAC Representatives
Robert R. Scott, Commissioner, NHDES

VOTING MEMBERS

Michele L. Tremblay
Chair
Conservation
Community

Larry T. Spencer
Vice Chair
Conservation
Commissions

Christopher Hodgdon
NH Fish & Game
Commission

Frederick J. McNeill
Municipal Officer

Madeleine Mineau
Granite State
Hydropower Assoc.

Robert M. Roseen
Recreational Interests

Donald L. Ware
Public Water Suppliers

Vacant
Agricultural Community

Vacant
Business & Industry
Association

Vacant
Historic/Archeological
Interests

Vacant
Local River Management
Advisory Committees

NON-VOTING MEMBERS

Peter Bowman
NH Dept. of Natural and
Cultural Resources

Natasha Cole
NH Department of
Safety

Jennifer Gilbert
NH Dept. of Business
and Economic Affairs

Mark Hemmerlein
NH Department of
Transportation

Shawn Jasper
NH Dept. of Agriculture,
Markets & Food

John Magee
NH Fish & Game
Department

STAFF

Tracie Sales
Program Administrator

Vacant
Program Assistant

NH Rivers Management Advisory Committee

NH Rivers Management and Protection Program



February 21, 2023

The Honorable Thomas Walsh, Chair
House Transportation Committee
Legislative Office Building, Room 203
Concord, NH 03301

RE: HB 137 *An act relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees.*

Dear Chair Walsh and Members of the Committee,

The Rivers Management Advisory Committee (RMAC) is writing to express its **support of House Bill 137**, which establishes a committee to study boat registration fees.

The RMAC supports this bill because

- With each boat registration, New Hampshire collects currently \$17.50 of fees that are allocated to search and rescue, public boat access, coastal pier maintenance, and the lake restoration fund;
- This current practice is out of compliance with US Coast Guard regulations and requires immediate action to keep these vital programs funded and to not jeopardize the state's federal grant for safety programs;
- The lake restoration fund is the sole source of money for the state's program to prevent and manage aquatic invasive species. This includes providing grants to non-profit organizations and municipalities to address aquatic invasive species;
- Aquatic invasive species spread rapidly if left untreated. Their dense populations hinder boat navigation, negatively affect recreational enjoyment, and harm populations of native species;
- Having a reliable, dedicated funding source that is adequate to combat aquatic invasive species is critical to the public's continued enjoyment of New Hampshire waterways, and the economic benefits that result;
- This is an issue affecting multiple states. Other states that have recently separated invasive species fees from boat registration fees in order to comply with Coast Guard regulations have lost a significant amount of funding; and
- Passage of this bill allows time for agencies and advocates to work with the Coast Guard and federal stakeholders to explore potential federal solutions.

The RMAC is a legislatively created body charged to work with the New Hampshire Department of Environmental Services (NHDES) to administer RSA 483, the Rivers Management and Protection Program. The Governor and Council appointed Committee is composed of members from business, agriculture,

The Honorable Thomas Walsh
Chair, House Transportation Committee
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hydroelectric, municipal government, water supply, conservation, recreation, fish and game, and historical interests.

Should you have any questions regarding our testimony in support of HB 137, feel free to contact me at 603.796.2615 or MLT@naturesource.net.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michele L. Tremblay".

Michele L. Tremblay, Chair

ec: Representatives Creighton, Vail, Harvey-Bolia, Harb, J. MacDonald, Post, Healey, and Horgan
RMAC Representatives
Robert R. Scott, Commissioner, NHDES



February 18, 2023

The Honorable Thomas Walsh, Chair
House Transportation Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 137, *Commission to Study Boat Registrations, Online Boat Registration Renewals, and Fees Collected*

Dear Chair Walsh and Members of the Committee:

Thank you for the opportunity to comment on HB 137. NH LAKES strongly supports HB 137, *Commission to Study Boat Registrations, Online Boat Registration Renewals, and Fees Collected*.

As a statewide nonprofit organization dedicated to restoring and preserving New Hampshire's lakes, NH LAKES is directly involved with aquatic invasive species (AIS) spread prevention efforts. It is in the best interest of New Hampshire's lakes, citizens, and economy that AIS prevention programs continue to be funded to avoid the spread of invasive plants and animals in our waterbodies.

NH LAKES joins several state agencies and innumerable local groups, municipalities, and businesses in a broad-based, statewide spread prevention education effort. This work is vital to our state economy, outdoor recreation, and quality of life. However, the fees that support AIS prevention and management programming, as well as other critical programming, including lake water quality monitoring, Fish and Game Search and Rescue, and public boat access, is in jeopardy due to conflict with Coast Guard rules for the collection of boat registration fees. By losing the boat vessel registration funding, NH LAKES and the State of New Hampshire risk losing leveraged support that enables AIS spread prevention activities.

Pursuant to RSA 270-E:5, those who register their watercraft in New Hampshire pay \$9.50 annually to support AIS prevention and management and lake water quality monitoring programs. This funding, along with an additional \$8.00 funds collected to support the Statewide Public Boat Access Fund, the Fish and Game Search and Rescue fund, and the Pease Development Authority Dredging and Pier Maintenance Fund, are being collected in violation of Federal law. If New Hampshire does not demonstrate an effort to remedy the noncompliance, the US Coast Guard could withhold its

Recreational Boating Safety Grant which provides roughly half the annual budget of the New Hampshire Marine Patrol.

The funds collected through RSA 270-E:5 are crucial to maintaining clean and healthy lakes, free from problematic invasive species, and a legislative fix is needed to remedy this noncompliance. This bill would provide an opportunity to study this multifaceted issue and discuss potential solutions with a number of impacted stakeholders.

Approximately 90 waterbodies in New Hampshire (lakes, ponds, and rivers) are already infested with aquatic invasive plants (like variable water milfoil) and several waterbodies are fouled with invasive animals (like the Asian clam). These infestations not only impact the health of these waterbodies, they impact our ability to use them. Aquatic invasive species infestations cost tens, and in some cases, hundreds of thousands of dollars annually to manage. In almost all cases, without eradicating the target species, management merely controls their spread. As is often said, "An ounce of prevention is worth a pound of cure."

NH LAKES applies for and receives funding annually from the New Hampshire Department of Environmental Services to help support a statewide courtesy boat inspection program to help boaters do their part to prevent the spread of invasive species. This grant, made possible by boat registration fees, leverages an additional nearly \$750K in foundation funding, local funding, and volunteer time to further prevent the spread of invasive species. Every summer, NH LAKES stations approximately 800 Lake Hosts (about 300 paid; the remainder volunteer) at about 100 public access boat ramps. Lake Hosts educate boaters in how to effectively clean and drain their watercraft, trailers, and gear to prevent the further spread of aquatic invasive plants and animals. In its 20 year history, Lake Hosts have surveyed over 1.4 million boats and removed over 1,600 invasive species from boats entering or leaving waterbodies.

This bill provides an opportunity to bring impacted stakeholders together to find a way to maintain critical Marine Patrol funding without sacrificing dedicated and additional leveraged funding for AIS prevention and management, lake water quality monitoring, search and rescue, and public access programming. We urge you and the House Resources, Recreation and Development Committee to vote "ought to pass" on HB 137 and help protect New Hampshire's waterbodies and all the benefits they provide.

Respectfully,



Andrea LaMoreaux, President & Policy Advocate
NH LAKES

Scott Powell

I strongly support HB 137. This bill is very important to the continued economic benefits the state receives from the use of our many water bodies. We cannot afford to risk the loss of federal funds coming to the state to protect the quality, safety, and financial impact New Hampshire's receives from our many beautiful lakes and rivers.

Kirk Bishop

Passing this Bill is critical to continuing the prevention of the spread of invasive species among and between our lakes and streams. Prevention is easier, cheaper, and simply smarter than dealing with the issue after the fact. Therefore, this is, in the long run, smarter AND cheaper.

Kirk Bishop

Kenneth Walton

It is important that NH continue to receive the Coast Guard funding, and it is also important to continue to fund efforts such as the Lake Host program to control/prevent invasive species in NH water bodies. The health and preservation of our lakes is vital for both economic and ecological reasons.

Ronald Rayner

I am an active water enthusiast & wastewater professional (Industry) & these additional add-on fees are essential to support these other related & heavily intermingled outdoor activities.

Holly Martin

Hello,

My name is Holly Martin of 46 Ledges Rd., Northwood, NH. I am the Lake Host Coordinator for Pleasant Lake in Deerfield NH.

I am writing to you today to ask you to please support HB137. The bill is critical to buy time for the state to figure out additional ways to collect these vital boater registration fees in order to protect our lakes from the spread of invasive species as well as other critical programs such as search and rescue, coastal pier maintenance, and lake restoration and preservation. Please support this critical bill.

Thank you for your time,

Holly Martin

Ernest Hoene

Management and mitigation of the growing threat of highly invasive aquatic plants threatening our lakes is critical to protecting our tourist industry and one of the key natural resources in our state.

Suzanne Birdsall-Stone

Thank you for supporting HB 137 to give the State the time and opportunity to figure out how to collect fees to support the prevention and management of invasive species in our lakes in a manner that is in compliance with the Federal Coast Guard's regulations.

Karen Hunter

I believe keeping our lakes clean and safe of invasive species is of paramount importance. NH lakes is one of the attractions to out of staters and tourist. I am in full support of this bill

Ted Kramer

NH Transportation Committee: I am writing to support HB 137 individually. However, with over 20 years experience on the Board of Directors of the NH Lakes Association and like service to the Silver Lake Association of Madison, I can factually assure you that the additional funds collected for lake related necessities along with boating registrations were carefully researched, debated, and determined to be vital to the protection of our NH lakes and ponds. These activities such as the highly successful Lake Host Program are critical to the preservation of our nearly 1000 precious bodies of water. Please pass this bill expeditiously.

Respectfully, Ted Kramer - President of the 400 member plus Silver Lake Association of Madison

janet wilkinson

It is critical that the State be provided with the time and opportunity to figure out another way to collect additional fees to support several key programs including the lake restoration and preservation fund and HB 137 strives to do just that.

Scott Knightly

I am in support of HB 137 which will allow us to continue efforts to preserve our lakes at the highest quality possible now and into the future. Scott

Randy Perin

Randy Perin & Donna Dow support HB137

Prevention & Management of Invasive Species in New Hampshire's Lakes is a huge challenge and greatly under funded. We must prevent the spread of these Invasive Species so that our Lakes continue to be Beautiful and open for recreation for all to enjoy! New Hampshire must continue to draw people to come here and enjoy themselves and help put money into our economy so that we can maintain the Lakes for many more years to come! Our many, many different species of waterfowl, some of them rare and our beloved Loons and large birds like the American Eagle all need our lakes to be free of these Invasive Species as all of them are affected the same as humans by these Invasive Species. We ALL need to support HB137.

Jennifer King

Good morning,

I'm sorry to be chiming in so close to your hearing, COVID threw me for a loop and I am just catching up. Please support Bill 137, to establish a committee to review boat registration fees. NH needs to find a way to continue to allow boat registration fees to protect our lakes. The estimated cost for managing invasive European Naiad on Milton Three Ponds this year is \$80,000 and the total effort has cost close to to \$300,000 since 2017. These costs have been shared by the bordering towns, NH DES, ME DEP and our lake association. My TPPA Co-President writes the state grants and oversees the management of this effort to control just one invasive. NH's lakes are critical to our economy, for municipal property taxes, property values, recreation and tourism. The spread of invasives can bring property values down. Studies on Milfoil alone has been shown to reduce values by 19-25%. Once you have invasives, it is a chronic problem requiring annual treatment. Please take action to create a committee to protect the boat registration funding to help keep our lakes clean and our economy strong.

Thank you,

Jennifer King

NH Lakes Board Member and Public Policy and Advocacy Chair

Co-President of Three Ponds Protective Association

U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
U.S. Coast Guard

2703 Martin Luther King Jr. Ave SE
Washington, DC 20593-7509
Staff Symbol: CG-BSX
Phone: 202-372-1062
Email: RBSinfo@uscg.mil

16751
CG-BSX
Correspondence 22-01
11 Jul 2022

GLENDYE.TROY.P. Digitally signed by
ERRY.1011778980 GLENDYE.TROY.PERRY.1011778980
Date: 2022.07.11 12:33:30 -0400

From: T. P. Glendye, CAPT
COMDT (CG-BSX)

To: Distribution

Subj: FEES FOR ISSUING A VESSEL CERTIFICATE OF NUMBER

Ref: (a) 46 U.S.C. §12307

(b) 33 C.F.R. §174.31

1. Purpose. This letter provides guidance with regard to acceptable State fees per the requirements of ref (a).
2. Background.
 - a. Ref (a) regulates the authority to issue a vessel a certificate of number and permits the state to prescribe regulations to establish fees to carry out the intent of the chapter. The intent of Chapter 123 is the numbering of vessels.
 - b. Ref (b) permits States to condition the issuance of vessel numbers only for; proof of ownership, proof of liability insurance, or proof of payment of state or local taxes.
3. Discussion.
 - a. Per ref (a), the Coast Guard has authority to require the issuance of a certificate of number (CON) and to prescribe regulations to establish fees to carry out the intent of chapter 123. The intent of chapter 123 of Title 46 is to number undocumented vessels. Further, ref (b) permits states to condition the issuance of a CON only for proof of ownership, proof of liability insurance, or [proof] of payment of state or local taxes. Although a fee may be charged for issuing a CON, this fee can only be used to carry out the intent of chapter 123 of Title 46 of the U.S. Code. Further, the issuance of a CON can only be conditioned on what the Coast Guard has expressly prescribed in regulation.
 - b. A state may not levy a fee as a condition to receive a CON that *is not* related to the costs associated with issuing the CON. This includes, but is not limited to, financing unrelated state activities and programs like Aquatic Invasive Species programs. If a fee is charged while obtaining a CON that does not fund a program that carries out numbering of

Subj: FEES FOR ISSUING A VESSEL CERTIFICATE OF
NUMBER

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recreational vessels, then the associated fee cannot be levied. Unrelated fees need to be bifurcated from issuing a CON.

- c. Further, the condition on the issuance of a CON would still be impermissible if the surcharge is characterized as a tax or surcharge. One of the permitted conditions in ref (a) is proof of payment of state or local tax, not the imposition of a tax itself. For example, proof of payment of a vessel's sales tax is permissible, while imposition of a separate tax on vessel numbering is not.

4. Action.

- a. In accordance with refs (a) and (b), a state may impose fees to issue a vessel a CON, but only if the fees are used to directly pay for the issuance of the CON.
- b. Any state with a past or existing surcharge, additional fee, or additional tax directly attached to the issuance of vessel CON should send a Corrective Action Plan (CAP) to this Office to the attention of their cognizant Coast Guard State Program Coordinator (SPC). The CAP shall include the State's plan and timeline to remove the impermissible surcharge(s), fee(s) or tax(es).
- c. During assessments of State Recreational Boating Safety grant programs, Coast Guard SPCs will review applicable State law to determine compliance with refs (a) and (b).

- 5. Disclaimer. The guidance in this letter is not a substitute for applicable legal requirements and is not a rule. The guidance in this letter is not intended to impose legally-binding requirements on any party. This guidance represents the Coast Guard's current thinking on this topic and may assist States, the general public, and the Coast Guard, in applying statutory and regulatory requirements.

- 6. Questions. Questions from the public concerning this letter should be directed to Commandant (CG-BSX-21), Inspections and Compliance Directorate, Office of Auxiliary and Boating Safety, Boating Safety Division, Program & Operations Management Branch at RBSInfo@uscg.mil.

#

Dist: U.S. States and Territories Boating Law Administrators
District of Columbia Boating Law Administrators
USCG Coast Guard District Prevention Divisions

CFR References

33 CFR § 174.17 Contents of application for certificate of number.

(a) An application for a certificate of number must contain the following information:

(1) Name of owner.

(2) Address of owner, including ZIP code.

(3) Owner identifier, which must be the owner's tax identification number, date of birth together with driver's license number, or date of birth together with other unique number.

(4) State of principal operation.

(5) Number previously issued by an issuing authority.

(6) Application type: Authorized terms are "new number", "renewal of number", or "transfer of ownership".

(7) Primary operation: Authorized terms are, "charter fishing", "commercial fishing", "commercial passenger carrying", "dealer or manufacturer demonstration", "other commercial operation", "pleasure", or "rent or lease".

(8) Make and model of vessel.

(9) Model year.

(10) Hull identification number, if any.

(11) Overall length of vessel.

(12) Vessel type: Authorized terms are "air boat", "auxiliary sail", "cabin motorboat", "houseboat", "inflatable boat", "open motorboat", "paddlecraft", "personal watercraft", "pontoon boat", "rowboat", "sail only", or "other".

(13) Hull material: Authorized terms are "aluminum", "fiberglass", "plastic", "rubber/vinyl/canvas", "steel", "wood", or "other".

(14) Propulsion type: Authorized terms are "air thrust", "manual", "propeller", "sail", "water jet", or "other".

(15) Engine drive type: Authorized terms are "inboard", "outboard", "pod drive", "sterndrive", or "other".

(16) Fuel: Authorized terms are "electric", "diesel", "gas", or "other".

(17) Signature of the owner.

(b)

(1) An application made by a manufacturer or dealer for a number that is to be temporarily affixed to a vessel for demonstration or test purposes may omit the information under paragraphs (a)(9) through (a)(17) of this section.

(2) An application made by an owner of a vessel without propulsion machinery may omit the information under paragraphs (a)(16) and (a)(17) of this section.

(c) For an issuing authority listed in 33 CFR part 173, Appendix A on April 27, 2012, the requirements of paragraphs (a) and (b) of this section apply on January 1, 2017. Between April 27, 2012 and January 1, 2017, the issuing authority may continue to accept applications containing the contents required by that reporting authority prior to April 27, 2012.

33 CFR § 174.19 Contents of a certificate of number.

(a) Except as allowed in paragraph (b) of this section, each certificate of number must contain the following information:

- (1) Number issued to the vessel.
- (2) Expiration date of the certificate.
- (3) State of principal operation.
- (4) Name of owner.
- (5) Address of owner, including ZIP code.
- (6) Primary operation: Authorized terms are, “charter fishing”, “commercial fishing”, “commercial passenger carrying”, “dealer or manufacturer demonstration”, “other commercial operation”, “pleasure”, or “rent or lease”.
- (7) Hull identification number, if any.
- (8) Make and model of vessel.
- (9) Model year.
- (10) Overall length of vessel.
- (11) Vessel type: Authorized terms are “air boat”, “auxiliary sail”, “cabin motorboat”, “houseboat”, “inflatable boat”, “open motorboat”, “paddlecraft”, “personal watercraft”, “pontoon boat”, “rowboat”, “sail only”, or “other”.
- (12) Hull material: Authorized terms are “aluminum”, “fiberglass”, “plastic”, “rubber/vinyl/canvas”, “steel”, “wood”, or “other”.
- (13) Propulsion type: Authorized terms are “air thrust”, “manual”, “propeller”, “sail”, “water jet”, or “other”.
- (14) Engine drive type: Authorized terms are “inboard”, “outboard”, “pod drive”, “sterndrive”, or “other”.
- (15) Fuel: Authorized terms are “electric”, “diesel”, “gas”, or “other”.

(b)

- (1) A certificate of number issued to a manufacturer or dealer for use on a vessel for test or demonstration purposes may omit the information under paragraphs (a)(7) through (a)(15) of this section if the word “manufacturer” or “dealer” is plainly marked on the certificate.
- (2) A certificate of number issued for a vessel without propulsion machinery may omit paragraphs (a)(14) and (a)(15) of this section if the words “manual vessel” are plainly marked on the certificate.

(3) An issuing authority may print on the certificate of number a quotation of State boating regulations or other boating-related information, such as safety reminders, registration, or law enforcement contact information.

(c) For an issuing authority listed in Appendix A of this part on April 27, 2012, the requirements of paragraphs (a) and (b) of this section apply on January 1, 2017. Between April 27, 2012 and January 1, 2017, the issuing authority may continue to issue certificates of number containing the contents in effect on April 27, 2012.

33 CFR § 174.3 Definitions.

Airboat means a vessel that is typically flat-bottomed and propelled by an aircraft-type propeller powered by an engine.

Auxiliary sail means a vessel with sail as its primary method of propulsion and mechanical propulsion as its secondary method.

Cabin motorboat means a vessel propelled by propulsion machinery and providing enclosed spaces inside its structure.

Certificate of number means the certificate required by 33 CFR 173.21.

Charter fishing means a vessel carrying a passenger(s) for hire who is (are) engaged in recreational fishing.

Commercial fishing means a vessel that commercially engages in the catching, taking, or harvesting of fish which, either in whole or in part, is intended to enter commerce through sale, barter, or trade.

Houseboat means a motorized vessel that is usually non-planing and designed primarily for multi-purpose accommodation spaces with low freeboard and little or no foredeck or cockpit.

Hull identification number or *HIN* means a number required by 33 CFR 181.23.

Inboard, in the context of an engine, means an engine mounted inside the confines of a vessel which powers a drive shaft that turns a water jet impeller or that runs through the bottom of the hull and is attached to a propeller at the other end.

Inflatable boat means a vessel that uses air-filled flexible fabric for buoyancy.

Open motorboat means a vessel equipped with propulsion machinery and having an open load carrying area that does not have a continuous deck to protect it from the entry of water.

Operate means use, navigate, or employ.

Operator means the person who is in control or in charge of a vessel while it is in operation.

Outboard, in the context of an engine, means an engine with propeller or water jet integrally attached, which is usually mounted at the stern of a vessel.

Owner means a person, other than a secured party, having property rights in or title to a vessel, including persons entitled to use or possess a vessel subject to a security interest in another person, but excluding lessees under a lease not intended as security.

Paddlecraft means a vessel powered only by its occupants, using a single or double bladed paddle as a lever without the aid of a fulcrum provided by oarlocks, thole pins, crutches, or similar arrangements.

Person means an individual, firm, partnership, corporation, company, association, joint-stock association, or governmental entity and includes a trustee, receiver, assignee, or similar representative of any of them.

Personal watercraft means a vessel propelled by a water-jet pump or other machinery as its primary source of motive power and designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than sitting or standing within the vessel's hull.

Pod drive means an engine mounted in front of the transom of a vessel and attached through the bottom of the hull to a steerable propulsion unit.

Pontoon boat means a vessel with a broad, flat deck that is affixed on top of closed cylinders which are used for buoyancy, the basic design of which is usually implemented with two rows of floats as a catamaran or with three rows of floats as a trimaran.

Reporting authority means a State listed in 33 CFR part 173, Appendix A, as having a numbering system approved by the Coast Guard or the Coast Guard itself when a numbering system has not been approved.

Rowboat means an open vessel manually propelled by oars.

Sail only means a vessel propelled only by sails.

State means a State of the United States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, the U.S. Virgin Islands, and any other territory or possession of the United States.

State of principal operation means the State in whose waters a vessel is or will be operated most during a calendar year.

Sterndrive means an engine, powering a propeller using shifts and gears, mounted in front of the transom of a vessel and attached through the transom to a drive unit that is similar to the lower unit of an outboard, which may also be known as an inboard-outdrive or an inboard-outboard.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

CFR § 175.13 Definitions.

As used in this subpart:

Personal flotation device or *PFD* means a device that is approved by the Commandant under 46 CFR part 160.

Throwable PFD means a PFD that is intended to be thrown to a person in the water. A PFD marked as Type IV or Type V with Type IV performance is considered a throwable PFD. Unless specifically marked otherwise, a wearable PFD is not a throwable PFD.

Wearable PFD means a PFD that is intended to be worn or otherwise attached to the body. A PFD marked as Type I, Type II, Type III, or Type V with Type (I, II or III) performance is considered a wearable PFD.

§ 175.15 Personal flotation devices required.

Except as provided in §§ 175.17 and 175.25:

(a) No person may use a recreational vessel unless -

- (1) At least one wearable PFD is on board for each person;
- (2) Each PFD is used in accordance with any requirements on the approval label; and
- (3) Each PFD is used in accordance with any requirements in its owner's manual, if the approval label makes reference to such a manual.

(b) No person may use a recreational vessel 16 feet or more in length unless one throwable PFD is onboard in addition to the total number of wearable PFDs required in paragraph (a) of this section.

(c) No person may operate a recreational vessel under way with any child under 13 years old aboard unless each such child is either -

- (1) Wearing an appropriate PFD approved by the Coast Guard; or
- (2) Below decks or in an enclosed cabin.

§ 175.17 Exemptions.

(a) Canoes and kayaks 16 feet or more in length are exempted from the requirements for carriage of the additional throwable PFD required under § 175.15(b).

(b) Racing shells, rowing sculls, racing canoes, and racing kayaks are exempted from the requirements for carriage of any PFD required under § 175.15.

(c) Sailboards are exempted from the requirements for carriage of any PFD required under § 175.15.

(d) Vessels of the United States used by foreign competitors while practicing for or racing in competition are exempted from the carriage of any PFD required under § 175.15, provided the vessel carries one of the sponsoring foreign country's acceptable flotation devices for each foreign competitor onboard.

§ 175.19 Stowage.

(a) No person may use a recreational boat unless each wearable PFD required by § 175.15 is readily accessible.

(b) No person may use a recreational boat unless each throwable PFD required by § 175.15 is immediately available.

§ 175.21 Condition; size and fit; approval marking.

No person may use a recreational boat unless each PFD required by § 175.15 is -

- (a) In serviceable condition as provided in § 175.23;
- (b) Of an appropriate size and fit for the intended wearer, as marked on the approval label; and
- (c) Legibly marked with its approval number, as specified in 46 CFR part 160.

§ 175.23 Serviceable condition.

A PFD is considered to be in serviceable condition for purposes of § 175.21(a) only if the following conditions are met:

- (a) No PFD may exhibit deterioration that could diminish the performance of the PFD, including -

- (1) Metal or plastic hardware used to secure the PFD on the wearer that is broken, deformed, or weakened by corrosion;

- (2) Webbing or straps used to secure the PFD on the wearer that are ripped, torn, or which have become separated from an attachment point on the PFD; or

- (3) Any other rotted or deteriorated structural component that fails when tugged.

- (b) In addition to meeting the requirements of paragraph (a) of this section, no inherently buoyant PFD, including the inherently buoyant components of a hybrid inflatable PFD, may exhibit -

- (1) Rips, tears, or open seams in fabric or coatings, that are large enough to allow the loss of buoyant material;

- (2) Buoyant material that has become hardened, non-resilient, permanently compressed, waterlogged, oil-soaked, or which shows evidence of fungus or mildew; or

- (3) Loss of buoyant material or buoyant material that is not securely held in position.

- (c) In addition to meeting the requirements of paragraph (a) of this section, an inflatable PFD, including the inflatable components of a hybrid inflatable PFD, must be equipped with -

- (1) Except as provided in paragraph (d) of this section, a properly armed inflation mechanism, complete with a full inflation medium cartridge and all status indicators showing that the inflation mechanism is properly armed;

- (2) Inflatable chambers that are all capable of holding air;

- (3) Oral inflation tubes that are not blocked, detached, or broken;

- (4) A manual inflation lanyard or lever that is not inaccessible, broken, or missing; and

- (5) Inflator status indicators that are not broken or otherwise non-functional.

- (d) The inflation system of an inflatable PFD need not be armed when the PFD is worn inflated and otherwise meets the requirements of paragraphs (a) and (c) of this section.

§ 175.25 Enforcement of State requirements for children to wear personal flotation devices.

(a) This section applies to operators of recreational vessels on waters subject to the jurisdiction of any State that has established by statute a requirement for children of a certain age to wear an appropriate PFD approved by the Coast Guard, while aboard a recreational vessel.

(b) If the applicable State statute establishes any requirement for children of a certain age to wear an appropriate PFD approved by the Coast Guard, then that requirement applies on the waters subject to the State's jurisdiction instead of the requirement provided in § 175.15(c) of this part.

CFR § 175.110 Visual distress signals required.

(a) No person may use a boat 16 feet or more in length, or any boat operating as an uninspected passenger vessel subject to the requirements of 46 CFR chapter I, subchapter C, unless visual distress signals selected from the list in § 175.130 or the alternatives in § 175.135, in the number required, are onboard. Devices suitable for day use and devices suitable for night use, or devices suitable for both day and night use, must be carried.

(b) Between sunset and sunrise, no person may use a boat less than 16 feet in length unless visual distress signals suitable for night use, selected from the list in § 175.130 or § 175.135, in the number required, are on board.

§ 175.113 Launchers.

(a) When a visual distress signal carried to meet the requirements of § 175.110 requires a launcher to activate, then a launcher approved under 46 CFR 160.028 must also be carried.

§ 175.115 Exceptions.

The following persons need not comply with § 175.110; however, each must carry on board visual distress signals suitable for night use, selected from the list in § 175.130 or § 175.135, in the number required, between sunset and sunrise:

- (a) A person competing in any organized marine parade, regatta, race, or similar event;
- (b) A person using a manually propelled boat; or
- (c) A person using a sailboat of completely open construction, not equipped with propulsion machinery, under 26' in length.

§ 175.120 Stowage.

No person may use a boat unless the visual distress signals required by § 175.110 are readily accessible.

CFR § 175.301 Applicability.

- (a) This subpart applies to recreational vessels that are propelled or controlled by propulsion machinery.
- (b) Recreational vessels constructed prior to August 22, 2016, will be deemed built before model year 2017 and must meet the requirements of 33 CFR 175.380.
- (c) Recreational vessels constructed prior to November 19, 1952, will be deemed built before model year 1953 and must meet the requirements of 33 CFR 175.390.

§ 175.305 General provisions.

Where fire extinguishing equipment in this subpart is required to be of an approved type, such equipment must be approved as provided in 46 CFR chapter I, subchapter Q. A listing of current and formerly approved equipment and materials may be found on the internet at: <https://cgmix.uscg.mil/equipment>. Each OCMI may be contacted for information concerning approved equipment.

§ 175.310 Portable fire extinguishers and semi-portable fire extinguishing systems.

- (a) All portable and semi-portable fire extinguishers must -
 - (1) Be on board and readily accessible;
 - (2) Be of an approved type;
 - (3) Not be expired or appear to have been previously used; and
 - (4) Be maintained in good and serviceable working condition, meaning:
 - (i) If the extinguisher has a pressure gauge reading or indicator it must be in the operable range or position;
 - (ii) The lock pin is firmly in place;
 - (iii) The discharge nozzle is clean and free of obstruction; and
 - (iv) The extinguisher does not show visible signs of significant corrosion or damage.
- (b) Vaporizing-liquid type fire extinguishers containing carbon tetrachloride, chlorobromomethane, or other toxic vaporizing liquids, are not acceptable as equipment required by this subpart.
- (c) Portable or semi-portable extinguishers that are required by their name plates to be protected from freezing must not be located where freezing temperatures may be expected.

(d) The use of dry chemical stored pressure fire extinguishers not fitted with pressure gauges or indicating devices, manufactured prior to January 1, 1965, is permitted on board recreational vessels if such extinguishers are maintained in good and serviceable condition. The following maintenance and inspections are required for such extinguishers:

(1) When the date on the inspection record tag on the extinguishers shows that 6 months have elapsed since the last weight check ashore, then such extinguishers are no longer accepted as meeting required maintenance conditions until they are reweighed ashore, found to be in a serviceable condition, and within required weight conditions.

(2) If the weight of the container is 1/4 ounce less than that stamped on the container, it must be serviced.

(3) If the outer seal or seals (which indicate tampering or use when broken) are not intact, the boarding officer or marine inspector will inspect such extinguishers to see that the frangible disc in the neck of the container is intact; and, if such disc is not intact, the container must be serviced.

(4) If there is evidence of damage, use, or leakage, such as dry chemical powder observed in the nozzle or elsewhere on the extinguisher, the extinguisher must be serviced or replaced.

(e) Dry chemical extinguishers, stored pressure extinguishers, and fire extinguishers without pressure gauges or indicating devices, manufactured after January 1, 1965, cannot be labeled with the marine type label described in 46 CFR 162.028-4. These extinguishers may be carried onboard recreational vessels as excess equipment, subject to paragraphs (a) and (b) of this section.

(f) Semi-portable extinguishers must be fitted with a suitable hose and nozzle, or other practicable means, so that all portions of the space concerned may be covered.

§ 175.315 Fixed fire extinguishing systems.

(a) A fixed fire extinguishing system must be of a type approved by the Coast Guard under 46 CFR part 162.

(b) A carbon dioxide system must be designed and installed in accordance with 46 CFR part 76, subpart 76.15.

(c) An automatic sprinkler system must be designed and installed in accordance with 46 CFR 25.30-15(c).

§ 175.320 Fire extinguishing equipment required.

(a) *Recreational vessels 65 feet or less in length.*

(1) A recreational vessel 65 feet or less in length must carry at least the minimum number of portable fire extinguishers set forth in table 1 to § 175.320(a)(1). A vessel less than 26 feet in length, propelled by an outboard motor, is not required to carry portable fire extinguishers if the construction of the vessel will not permit the entrapment of explosive or flammable gases or vapors.

Table 1 to § 175.320(a)(1)

Length (feet)	Minimum number of 5-B portable fire extinguishers required ¹	
	If no fixed fire extinguishing system in machinery space	If fixed fire extinguishing system in machinery space
Under 16	1	0
16 or more, but less than 26	1	0
26 or more, but less than 40	2	1
40 or more, but not more than 65	3	2

¹ One 20-B portable fire extinguisher may be substituted for two 5-B portable fire extinguishers.



February 18, 2023

The Honorable Thomas Walsh, Chair
House Transportation Committee
Legislative Office Building, Room 305
Concord, NH 03301

RE: HB 137, *Commission to Study Boat Registrations, Online Boat Registration Renewals, and Fees Collected*

Dear Chair Walsh and Members of the Committee:

Thank you for the opportunity to comment on HB 137. NH LAKES strongly supports HB 137, *Commission to Study Boat Registrations, Online Boat Registration Renewals, and Fees Collected*.

As a statewide nonprofit organization dedicated to restoring and preserving New Hampshire's lakes, NH LAKES is directly involved with aquatic invasive species (AIS) spread prevention efforts. It is in the best interest of New Hampshire's lakes, citizens, and economy that AIS prevention programs continue to be funded to avoid the spread of invasive plants and animals in our waterbodies.

NH LAKES joins several state agencies and innumerable local groups, municipalities, and businesses in a broad-based, statewide spread prevention education effort. This work is vital to our state economy, outdoor recreation, and quality of life. However, the fees that support AIS prevention and management programming, as well as other critical programming, including lake water quality monitoring, Fish and Game Search and Rescue, and public boat access, is in jeopardy due to conflict with Coast Guard rules for the collection of boat registration fees. By losing the boat vessel registration funding, NH LAKES and the State of New Hampshire risk losing leveraged support that enables AIS spread prevention activities.

Pursuant to RSA 270-E:5, those who register their watercraft in New Hampshire pay \$9.50 annually to support AIS prevention and management and lake water quality monitoring programs. This funding, along with an additional \$8.00 funds collected to support the Statewide Public Boat Access Fund, the Fish and Game Search and Rescue fund, and the Pease Development Authority Dredging and Pier Maintenance Fund, are being collected in violation of Federal law. If New Hampshire does not demonstrate an effort to remedy the noncompliance, the US Coast Guard could withhold its

Recreational Boating Safety Grant which provides roughly half the annual budget of the New Hampshire Marine Patrol.

The funds collected through RSA 270-E:5 are crucial to maintaining clean and healthy lakes, free from problematic invasive species, and a legislative fix is needed to remedy this noncompliance. This bill would provide an opportunity to study this multifaceted issue and discuss potential solutions with a number of impacted stakeholders.

Approximately 90 waterbodies in New Hampshire (lakes, ponds, and rivers) are already infested with aquatic invasive plants (like variable water milfoil) and several waterbodies are fouled with invasive animals (like the Asian clam). These infestations not only impact the health of these waterbodies, they impact our ability to use them. Aquatic invasive species infestations cost tens, and in some cases, hundreds of thousands of dollars annually to manage. In almost all cases, without eradicating the target species, management merely controls their spread. As is often said, "An ounce of prevention is worth a pound of cure."

NH LAKES applies for and receives funding annually from the New Hampshire Department of Environmental Services to help support a statewide courtesy boat inspection program to help boaters do their part to prevent the spread of invasive species. This grant, made possible by boat registration fees, leverages an additional nearly \$750K in foundation funding, local funding, and volunteer time to further prevent the spread of invasive species. Every summer, NH LAKES stations approximately 800 Lake Hosts (about 300 paid; the remainder volunteer) at about 100 public access boat ramps. Lake Hosts educate boaters in how to effectively clean and drain their watercraft, trailers, and gear to prevent the further spread of aquatic invasive plants and animals. In its 20 year history, Lake Hosts have surveyed over 1.4 million boats and removed over 1,600 invasive species from boats entering or leaving waterbodies.

This bill provides an opportunity to bring impacted stakeholders together to find a way to maintain critical Marine Patrol funding without sacrificing dedicated and additional leveraged funding for AIS prevention and management, lake water quality monitoring, search and rescue, and public access programming. We urge you and the House Resources, Recreation and Development Committee to vote "ought to pass" on HB 137 and help protect New Hampshire's waterbodies and all the benefits they provide.

Respectfully,

A handwritten signature in black ink, appearing to read "Andrea LaMoreaux". The signature is fluid and cursive, with the first name "Andrea" being more prominent than the last name "LaMoreaux".

Andrea LaMoreaux, President & Policy Advocate
NH LAKES

**HB 137 – Relative to boating safety equipment rules and vessel numbering rules,
and establish a committee to study boat registration fees.**

House Transportation Committee

2/21/2023

For the record my name is John Whalley and I am the General Manager of Silver Sands Marina in Gilford NH, a family owned, full-service marina built in the 1950's.

I also serve as the President of the NH Marine Trades Association. The NHMTA is an association of marine industry related businesses committed to the protection and growth of recreational boating in New Hampshire. We support boating safety as a tenet of our organization and serve as stewards of our lakes and waterways in order to protect the environment, health and beauty of New Hampshire's resources.

I am here to testify on behalf of the Association in support of HB 137.

We support HB 137, as we believe it is critical to review the boat registration laws in light of the Coast Guard's determination that NH is non-compliant with federal regulations and could therefore risk funding for NH Marine Patrol.

Many of our members have been long time boat agents for the State and register boats for our customers as well as the general boating public. We have direct communication with many boaters and want to assure that any potential changes to the current system do not impact the boating community or the programs that the boating community has supported over the years.

Families have many choices when it comes to recreating during New Hampshire summers. We need to address the Coast Guard concerns but in a way that does not hinder existing programs and does not impact the ease and affordability of registering a boat in our State.

We ask for your support of HB 137. If passed, we commit to working with the legislative committee and other stakeholders to address these issues.

Thank you.

**HB 137 – Relative to boating safety equipment rules and vessel numbering rules,
and establish a committee to study boat registration fees.**

House Transportation Committee

2/21/2023

For the record my name is John Whalley and I am the General Manager of Silver Sands Marina in Gilford NH, a family owned, full-service marina built in the 1950's.

I also serve as the President of the NH Marine Trades Association. The NHMTA is an association of marine industry related businesses committed to the protection and growth of recreational boating in New Hampshire. We support boating safety as a tenet of our organization and serve as stewards of our lakes and waterways in order to protect the environment, health and beauty of New Hampshire's resources.

I am here to testify on behalf of the Association in support of HB 137.

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We ask for your support of HB 137. If passed, we commit to working with the legislative committee and other stakeholders to address these issues.

Thank you.

HB 137 - AS INTRODUCED

2023 SESSION

23-0332

10/04

HOUSE BILL

137

AN ACT relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees.

SPONSORS: Rep. Creighton, Hills. 30; Rep. Vail, Hills. 6; Rep. Harvey-Bolia, Belk. 3; Rep. Harb, Rock. 20; Rep. J. MacDonald, Carr. 6; Rep. Post, Hills. 42; Rep. Healey, Hills. 12; Rep. Horgan, Straf. 1; Sen. Avar, Dist 12; Sen. Fenton, Dist 10; Sen. Ward, Dist 8

COMMITTEE: Transportation

ANALYSIS

This bill allows the commissioner of the department of safety to adopt by reference certain U.S. Coast Guard rules on boating safety equipment regulations and boating safety state numbering system regulations. The bill also establishes a committee to study boat registration fees.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to boating safety equipment rules and vessel numbering rules, and establishing a committee to study boat registrations fees.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Paragraph; Navigation; Rulemaking; Department of Safety; Boating Safety. Amend RSA
2 270:11 by inserting after paragraph IV the following new paragraph:

3 V. For the rules under paragraph I(a), the commissioner may adopt by reference, as
4 amended, the current version of the federal boating safety equipment regulations promulgated by
5 the U.S. Coast Guard, Department of Homeland Security, contained in 33 C.F.R. parts 175.13-
6 175.25, 175.101-175.140, 175.110-175.120, and 175.301-175.320. The commissioner shall be
7 authorized to exempt boats and operators operating exclusively on state waters from such rules
8 which the commissioner determines impose an unnecessary regulatory burden without providing a
9 corresponding safety benefit.

10 2 New Paragraph; Vessel Numbering; Rulemaking. Amend RSA 270-E:12 by inserting after
11 paragraph XII the following new paragraph:

12 XIII. For the rules under this section on vessel numbering, the commissioner may adopt by
13 reference, as amended, the current version of the federal boating safety state numbering system
14 regulations promulgated by the U.S. Coast Guard, Department of Homeland Security, contained in
15 33 C.F.R. parts 174.3, 174.17-174.19.

16 3 Study Committee Established; Boat Registration Fees. There is established a committee to
17 study collection and dispersal of boat registration fees collected for state agencies according to RSA
18 270-E, the collection and dispersal of the boats fees according to RSA 72-A, and the establishment of
19 an online boat registration renewal program.

20 I. The members of the committee shall be as follows:

21 (a) Four members of the house of representatives, appointed by the speaker of the house
22 of representatives.

23 (b) One member of the senate, appointed by the president of the senate.

24 II. The members of the committee shall seek input, advice, and expertise from the following
25 persons and organizations:

26 (a) The commissioner of the department of environmental services, or designee.

27 (b) The commissioner of the department of safety, or designee.

28 (c) The executive director of the fish and game department, or designee.

29 (d) The director of the Pease development authority, division of ports and harbors, or
30 designee.

HB 137 - AS INTRODUCED
- Page 2 -

- (e) A representative of the New Hampshire Marine Trades Association.
- (f) A member of the New Hampshire Town Clerks Association.
- (g) A member of the New Hampshire state police-marine patrol unit.
- (h) The director of the division of motor vehicles, or designee.
- (i) A representative from NH LAKES.
- (j) A representative from a local lake association.
- (k) Representatives of the recreational powerboating community.
- (l) A representative from the New Hampshire Rivers Council.
- (m) Any person or entity the committee deems relevant to its study.

II. Legislative members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

III. The committee shall gather the appropriate data and information on the collection of boat registration revenues for the department of safety.

IV. The committee shall gather the appropriate data and information related to the collections of boat registration revenues for state agencies other than the department of safety.

V. The committee shall gather the appropriate data and information on the collection of boat fee revenues for the department of safety and cities and towns.

VI. The committee shall gather the appropriate data and information related to an online boat registration renewal process.

VII. The members of the committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

VIII. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 30, 2023.

4 Effective Date.

I. Section 3 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect 60 days after its passage.