

## Frequently asked questions

### *Improving recreational boating safety*

#### **What are the main reforms?**

The main reforms include:

- Requiring a higher standard of boat operator skills for new licence holders of large recreational boats.
- Introducing better training for recreational licences.
- Extending the list of coastal bars requiring everyone onboard to wear a personal flotation device (PFD) when in an open boat under 4.8 metres in length.
- Additional operating requirements for personal watercraft (PWC) to minimise the likelihood of collisions.
- Additional safety equipment requirements for PWCs operating offshore in line with other recreational boats.

#### **What additional minor reforms will occur?**

A number of additional minor matters will also be addressed including:

- The owner of a recreational boat to ensure a master is appropriately licensed.
- Recognition of particular types of overseas boating licences.
- Emergency Position Indicating Radio Beacon's (EPIRB) registration sticker to be fixed to the beacon.
- Interstate registered recreational boats on an interstate voyage do not require Queensland registration when in Queensland waters.
- New stowage requirements for safety equipment to enable immediate access in the event of an emergency.
- The new Australian Standard 4758 for PFDs as an appropriate standard for use.

#### **Who will be most affected by these reforms?**

The primary focus of the reforms is recreational boating and PWC operators in Queensland.

Some of the reforms will also impact commercial and fishing ship operators.

#### **What reforms will impact commercial and fishing ship operators?**

The reforms are primarily focussed on recreational boat operators, however, some of the reforms will impact commercial and fishing ship operators, specifically:

- Extending the list of coastal bars requiring everyone onboard to wear a PFD when in an open boat under 4.8 metres in length.
- Additional safety equipment requirements for PWCs operating offshore similar to that required for other recreational boats.
- Additional operating requirements for PWCs to minimise the likelihood of collisions.
- Requiring the registration sticker for an EPIRB to be affixed to the EPIRB.

#### **When will these changes happen?**

The below changes will commence on 1 January 2012:

- Introducing better training for recreational licences;
- Extending the list of coastal bars requiring everyone onboard to wear a PFD when in an open boat under 4.8 metres in length.
- Additional operating requirements for PWCs to minimise the likelihood of collisions.
- Additional safety equipment requirements for PWCs operating offshore, in line with that already required for other recreational boats.
- Owner of a recreational boat to ensure the master is appropriately licensed.
- Recognition of particular international boating licences.
- EPIRB registration sticker to be fixed to the beacon.
- Interstate registered recreational boats on an interstate voyage do not require Queensland registration when in Queensland waters.
- New stowage requirements for safety equipment to enable immediate access in the event of an emergency;
- The new Australian Standard 4758 for PFDs as an appropriate standard for use.

From 1 January 2013, new recreational boat licensing requirements for the operation of recreational boats 12 metres and over in length are proposed to apply to new licence applicants. Further details will be provided closer to this date.

### **Do we really need these changes?**

With the number of people using Queensland's waterways increasing each year, marine safety programs must keep pace with emerging trends and issues to maintain a continued high level of marine safety.

Maritime Safety Queensland is committed to ensuring recreational marine safety programs are relevant and that they address emerging safety issues.

### **Will licensing changes meet concerns about night boating?**

About a quarter of fatal and serious injury marine incidents happen at night. Introducing better training would help improve the skills of future licence holders.

Maritime Safety Queensland is upgrading components of the current on-water daytime BoatSafe course. But given some of the practical difficulties, this will only need to be completed by new licence candidates.

### **What changes are going to occur about wearing personal flotation devices?**

The Mooloolah River mouth, Gold Coast Seaway and Round Hill Creek will be included as bar crossings where a personal flotation device must be worn.

A range of factors including increased traffic volumes, variable conditions and strong support shown in the 2007 discussion paper feedback indicate Mooloolah River mouth and Gold Coast Seaway should be included.

The third, Round Hill Creek bar, is constantly changing in depth and direction and is also open to the sea when the wind direction changes to the north. There have also been a number of reported marine incidents involving bar crossings that occurred there. The increased boating population is evident in this area and is used all year by recreational fishers as well as commercial operators.

### **What are the changes for personal watercraft operations?**

Three changes will be made to PWC operating requirements to reduce the number of incidents involving PWCs.

PWC drivers must maintain a distance of 30 metres from other moving vessels when travelling at more than 10 knots unless the PWC is involved in an approved aquatic event or where doing so would endanger the driver or another person.

A supervised unlicensed driver will be prohibited from carrying passengers other than the supervising PWC licence holder.

A supervising PWC licence holder must wear the kill switch safety lanyard when the PWC is being driven by an unlicensed driver.

### **How does the 10kn/30m rule apply?**

PWC drivers must maintain a distance of 30 metres from other moving vessels when travelling at more than 10 knots.

There are two exceptions to this requirement. A PWC may only be operated at more than 10 knots within 30 metres of another moving boat if:

- operated under an approved aquatic event or
- not doing so would endanger the operator or another person.

So, if a PWC is operated for the purpose of an approved aquatic event (including an approved aquatic event involving waterskiing) and is within 30 metres of another moving boat, they may operate at more than 10 knots. If a PWC is operated for a purpose other than an approved aquatic event, the only other time they may operate at more than 10 knots within 30 metres of another moving vessel is when not doing so would endanger the operator or another person.

### **Does the existing 6 knot/60 metre rule still apply?**

Although we have introduced an additional rule that requires PWC drivers to maintain a minimum distance of 30 metres from other moving boats when travelling at more than 10 knots to help save lives, the existing 6 knot/60 metre distance off anchored boats and people in the water rule still applies to PWCs.

### **Why are flares and other extra safety equipment being required on personal watercraft?**

With the advances in technology and design, PWCs can travel great distances offshore where conditions can change rapidly. A Maritime Safety Queensland survey found 16% of PWC use occurs in offshore waters. PWCs should therefore carry the same safety equipment as other registered recreational boats operating in the same environment.

### **Could marine flares self-ignite if placed in the storage compartment of a personal watercraft?**

Maritime Safety Queensland has approached the largest flare manufacturers (and their distributors). Consultation with these parties has confirmed that the lowest flash point for distress flares is around 160°C. Australian Standard AS 2092 also requires flares to have a resistance to heat. They must be able to be successfully ignited after being subjected to alternating temperatures of -30°C and +65°C for periods of eight hours for a total of 10 cycles.

Maritime Safety Queensland has conducted temperature trials to determine whether the temperatures in the storage compartment of a PWC exceed these temperatures. Those trials indicated, over three hours of operation, that the temperature in the storage compartment of the PWC did not significantly rise above ambient temperature. Those trials also observed that the storage compartments of PWC are made of plastic and any temperature extremes would also cause the deterioration and failure of these plastics.

In the absence of any evidence of the significant likelihood of flares self-igniting while stored on a PWC, Maritime Safety Queensland will require PWC operators to carry flares on board from January 2012.

### **Do commercial personal watercraft need to carry marine flares?**

Maritime Safety Queensland has required commercially registered PWCs to carry distress flares since 2009 without any flare self ignition incidents occurring.

Commercial boat operators, including thrill-boat operators, have been required to carry flares on board for decades. Thrill boat operators have similar high-impact operation to PWC. There are no incidents of flares endangering safety on thrill boats operated at high-speeds with sharp impacts and turns that have been brought to our attention.

### **How should marine flares be stored on a personal watercraft?**

Maritime Safety Queensland encourages flare storage in a padded, waterproof grab bag carried on the PWC that may be easily accessed in an emergency. Such storage will further address heat and impact concerns of storing flares on a PWC.

### **What type of anchor should be carried on a personal watercraft?**

As part of the safety equipment improvements, an anchor with a 27 metre cable was initially recommended as miscellaneous equipment that should be carried on a PWC (Table 1: Safety equipment for PWC, page 22 of the *Improving Recreational Boating Safety* report). This has now been revised from a prescriptive recommendation to one that is performance-based. The new changes will be for a PWC to be equipped with an anchor and cable appropriate to type and weight of ship, weather and sea conditions and nature of sea bed.

### **What are the safety benefits for carrying navigation equipment on a personal watercraft?**

Currently, all boats operating in beyond smooth waters should carry some form of navigation equipment. The safety equipment changes recommend that PWCs should also carry navigation equipment, including an electronic navigation device if not equipped with a chart or compass. Charts or compasses are designed for local conditions that can identify prominent marine features and routes to land if poor visibility obscures the shore from view. An electronic navigation device such as a GPS includes geographic reference that can identify a PWC's position. This is important safety equipment in an emergency particularly if the PWC is operating beyond smooth waters.

While a GPS is a good navigation aid, PWC drivers should still keep a proper lookout to maintain situational awareness and not rely completely on a single navigation device to identify any potential hazards.

#### **What overseas licences are being recognised?**

Maritime Safety Queensland will publish a list of overseas licences and qualifications that are considered equivalent to a RDML or PWC licence on its website and in relevant publications.

#### **When will an international visitor require a recreational boat licence?**

International visitors with a licence or qualification from an overseas marine safety administration will not be required to obtain a Queensland licence unless they intend to become an Australian resident. They can use their recognised overseas licence or qualification during their visit. Recognised overseas licences and qualifications will be listed on the Maritime Safety Queensland website.

International visitors who intend to become residents must obtain a Queensland or interstate licence after three months of either arriving in Australia or Australian waters, or obtaining their resident visa.

For example, if a resident visa was granted **before** arriving in Australia or Australian waters, the three month period commences from the date of entry to Australia. If a resident visa is granted **after** arriving in Australia or Australian waters, the three month period commences from the date of obtaining residency.

A person's passport will be used to verify when residency was granted and the date of entry to Australia.

For Australian citizens returning from living overseas with a recognised overseas licence or qualification, their Australian passport will be used to verify when they returned to Australia. They will be required to obtain a licence after three months of arriving in Australia or Australian waters.

#### **Does the residency criterion apply to interstate licence holders?**

There is no need for an interstate licence holder to apply for a Queensland licence to operate a recreational boat, because all current interstate licences (excluding junior licences) are recognised. Boat drivers must either hold a current equivalent interstate recreational licence, or a current licence to be the master of a commercial boat or fishing boat.

#### **Does the residency criterion apply to recreational boat registration?**

The three month timeframe only applies to recognition of international licences; there is no such timeframe relating to recreational boat registrations.

#### **Will an interstate registered recreational boat on an interstate voyage need to be Queensland registered?**

The current regulations state that a recreational boat registered in another state or territory on an intrastate voyage does not require Queensland registration while in Queensland waters. Maritime Safety Queensland is amending that regulation to correct an anomaly about boats on an interstate voyage. The new law will clarify that a recreational boat registered in another state or territory on an interstate voyage does not require Queensland registration while in Queensland waters.

However, all boats that require registration to operate in Queensland must be registered, even if the home state does not require it. For example, an unregistered interstate boat will require registration in Queensland if powered by an engine of three kW or more and there is no three month grace period.

#### **Will dinghies and outboards with motors of four hp and under still be exempt from having to be registered?**

All boats with a motor or auxiliary of three kW or more (over four hp) must be registered when on the water. Boats that are four hp and under do not require registration.

A tender that has an engine under three kW (four hp) does not need to be registered. Also, an appropriately marked tender that has an engine of three kW or more yet operates only within two nautical miles (nm) of the registered primary ship does not need to be registered.

For example, a six metre or less tender with an engine of three kW or more, operating beyond two nm from primary ship requires registration. However, a six metre or less tender operating within two nm from primary ship does not need to be registered regardless of its engine power.

**What are the new stowage requirements for safety equipment?**

The owner or master must give each person on board information about where the safety equipment is kept. Information may be given orally, in a demonstration or printed on a sign. Persons on board must know where the safety equipment is kept. Life jackets or PFDs must be clearly visible while a person is on board; or kept in a place readily accessible and indicated by a clearly visible sign with a white background marked with the word 'life jackets' in red letters or a red background with white letters.