

SUBJECT: Producing and using an instructional video on recreational water safety

COMMITTEE: Culture, Recreation, and Tourism — committee substitute recommended

VOTE: 6 ayes — Guillen, Elkins, Deshotel, Kuempel, Larson, T. Smith
0 nays
3 absent — Dukes, T. King, Price

WITNESSES: For — Tim Lindt (Brittney Sage Lindt Fund - 501(c)3, Brittney Sage Lindt, Victims of Fatal Watercraft Incidents); (*Registered, but did not testify*: Rod Malone, Recreational Boating Safety Advisory Panel, Boating Trades Association of Texas)

Against — None

On — Nancy Herron, Cody Jones, Texas Parks and Wildlife Department

BACKGROUND: The Texas Parks and Wildlife Department (TPWD) provides boater education through classroom courses offered in several cities in the state as well as through online and home video courses. Special accommodations are offered for Spanish speakers and the hearing impaired. The department also educates the public about boating and water safety through information and guidance listed on its website.

The Texas Advisory Panel on Recreational Boating Safety was created by HB 3108, enacted by the 81st Legislature during the 2009 regular session. Made up of private citizens and representatives of boating manufacturing, distributors, and dealers, the panel was tasked with researching boating safety in Texas and other states. This research examined ways to improve boating safety, the effects of boater education, and law enforcement procedures. In its report, the panel recommended the production of a video for water safety instruction that would be made available to the public and as a part of driver's education curriculum.

Education Code, ch. 29, subch. Z governs miscellaneous education programs in Texas public schools including driver's education.

DIGEST: CSHB 673 would require TPWD to create a video on recreational water safety suitable for an audience of high school-aged students. The video would include instruction for safe participation in recreational activities in, on, or around the state's waters. The department would have to notify the Texas Education Agency (TEA) in writing when the video became available for use.

Under the bill, TPWD could edit the recreational water safety video to create a boater education video that complied with federal boating education standards for courses made available by the National Association of State Boating Law Administrators.

TEA would be required to create rules establishing curriculum for recreational water safety. The curriculum would be included in driver education instruction, using the video created by TPWD.

CSHB 673 would be implemented as soon as money was available in the TPWD's operating budget.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

NOTES: In the fiscal note, TPWD reported that producing a 12-minute recreational water safety video would cost \$12,000. TEA reported that developing a recreational water safety curriculum would cost \$17,000. Both agencies said these costs could be reasonably absorbed within their existing resources.