COASTAL PROTECTION AND RESTORATION AUTHORITY

POLICY NO.:	**35**
EFFECTIVE DATE:	**APRIL 2, 2014**
REVISION DATE:	**MAY 4, 2017**
SUBJECT:	**WATER VESSEL OPERATOR SAFETY PROGRAM**
AUTHORIZATION:	**R.S. 39:1543 and LAC Title 37**

AUTHORITY

The Office of Risk Management has developed for statewide implementation a comprehensive Loss Prevention Program as required by La. R.S. 39:1543. The Water Vessel Operator Safety Program is part of this overall program and is required by LAC Title 37.

GOAL

The State of Louisiana, through the Office of Risk Management, devised a self-insurance program for its water vessels. The Water Vessel Operator Safety Program is designed to increase accountability and safety awareness among operators and crews of water vessels, control use of these vessels and reduce the state's exposure to loss and expense.

CPRA'S COMMITMENT AND PROGRAM COMPONENTS

CPRA hereby declares its commitment to fulfill its responsibility as an agency owning/operating water vessels to implement a Water Vessel Operator Safety Program in compliance with the loss prevention and safety guidelines established by the Office of Risk Management.

This policy provides for the identification, authorization and performance/safety training of CPRA employees whose jobs require operation of a water vessel.

This policy also identifies reporting requirements related to the operation of water vessels and the roles of the individuals responsible for implementing and monitoring CPRA's Water Vessel Operator Safety Program.

WHO MAY OPERATE WATER VESSELS FOR CPRA

Only authorized CPRA employees may operate a CPRA owned/leased/hired water vessel. An operator may only operate the type(s) of water vessel for which he/she is properly authorized and trained.

Employees not authorized to operate a water vessel may take over operation of the vessel in an immediate emergency such as a boating accident or injury to the authorized operator.

An employee in training may operate a water vessel, but then only while accompanied by and under the direct supervision of an authorized water vessel operator.

HIGH RISK OPERATORS

Employees designated as high risk operators shall not be authorized to operate a CPRA owned/leased/hired water vessel. Employees so designated shall be notified in writing that they are not authorized to operate such vessels for a minimum of twelve months from the date of discovery, and that they are required to retake the initial BoatU.S. (or other NASBLA-approved) course within ninety days of discovery. Additionally, the high risk operator's immediate supervisor and Safety Coordinator shall be notified in writing that the employee shall not be given authority to operate a water vessel on CPRA business.

A high risk operator is an employee:

A. Having three or more convictions, guilty pleas and/or nolo contendere pleas for moving violations within a twelve month period; or

B. Having a single conviction, guilty plea or nolo contendere plea for operating a vehicle/water vessel while intoxicated/under the influence, hit and run driving, vehicular negligent injury, vehicular homicide, careless operation, reckless operation or similar violation within the previous twelve month period.

The Safety Coordinator, in collaboration with the Executive Director and the Human Resources Division, shall determine when an employee should be designated a high risk operator. This shall be determined upon hiring, during annual reviews or upon receipt of information identifying the aforementioned convictions or pleas.

AUTHORIZATION

Before an employee can be authorized to operate a CPRA water vessel, the following requirements must be satisfied:

A. The employee must have a supervisor-identified business need to operate a water vessel to perform his/her CPRA job responsibilities;

B. The employee must have on file a fully completed Vessel Authorization/Operator History form (DA 2066);

C. The employee must sign an Acknowledgment of Responsibility to document understanding of his/her responsibilities as an authorized water vessel operator.

D. The employee's water operating record (WOR) and official driving (ODR) records for the past twelve months must be reviewed to ensure the employee is not a high risk operator;

E. The employee must attend and satisfactorily complete the Louisiana Better Boating classroom safety training and refresher courses; and

F. The employee must demonstrate proficiency and satisfy performance standards in operating a water vessel.

On-the-job training and evaluation of the employee's ability to safely operate a water vessel will be provided during the employee's first ninety days of employment, upon determining an existing employee's business need to operate a water vessel or upon assessment of the need for additional training.

Authorization to operate a water vessel will be effective for a period of one year upon satisfaction of the foregoing requirements.

AUTHORIZATION RENEWAL REQUIREMENT

CPRA will conduct an annual review of all authorized water vessel operators' water operating and official driving records. If an employee's status has changed to that of a high risk operator, renewal of his/her authorization to operate a water vessel shall be denied. Similarly, if an employee cannot safely operate a water vessel due to a medical condition or medication, renewal of his/her authorization shall be denied.

Authorized water vessel operators must retake and satisfactorily complete the Louisiana Better Boating classroom safety training every three years.

REPORTABLE EVENTS

The following events or circumstances are to be reported immediately upon occurrence or knowledge through the supervisory chain of command:

A. All water vessel accidents, regardless of fault, injury or property damage, occurring in a CPRA owned/leased/hired water vessel;

B. All citations and/or arrests for any violation of law while operating a CPRA owned/leased/hired water vessel;

C. All arrests, pleas and convictions for driving while intoxicated/under the influence, whether on or off-duty and irrespective of whether such occurs while operating a CPRA or personally owned vehicle or water vessel;

D. All pleas and convictions for moving violations, hit and run driving, vehicular homicide, vehicular negligent injury, careless operation, reckless operation or similar violations;

E. Diagnosis of any physical, mental or other medical condition which impairs the ability to safely operate a water vessel;*

F. Use of medications which cause drowsiness or impair the ability to safely operate a water vessel;* and

G. All conditions which cause the water vessel to be unsafe to operate, including the absence or non-functioning of required safety equipment.

*This information will be reported to the Human Resources Division and handled with appropriate concern for confidentiality and in compliance with prevailing privacy laws.

ACCIDENT INVESTIGATION AND REPORTING

All water vessel accidents, regardless of fault, injury or property damage, occurring in a CPRA owned/leased/hired water vessel must be reported. Incidents or occurrences which result in damage by or to a water vessel or its equipment, injury or loss of life to any person, capsizing, foundering, flooding, fire, explosion and disappearance of a water vessel other than by theft also must be reported.

All such accidents and incidents shall be reported through the supervisory chain of command immediately, but in no event later than the day of occurrence. As required by La. R.S. 34:851.10, all accidents involving a water vessel resulting in death or bodily injury must be reported to the Louisiana Department of Wildlife and Fisheries within forty-eight hours, and accidents resulting in property damage in excess of $500.00 must be reported within five days.

For all water vessel accidents, a LDWF Operator Boating Incident Report (DWF-BIR-010-OP) shall be completed and timely submitted through the supervisory chain of command and, if required, to LDWF. The operator's supervisor shall review and ensure the completeness of the report and assist the operator, if necessary, in completing the report.

POST-ACCIDENT DRUG TESTING

For detailed information refer to CPRA Policy Number 44, Post-Accident Drug Testing.

RESTRICTIONS ON USE OF VESSELS

Only CPRA owned/leased/hired water vessels shall be used to conduct CPRA business activities.

CPRA owned/leased/hired water vessels shall be used only to conduct official CPRA business activities. Use of such vessels for personal reasons is strictly prohibited.

Persons not engaged in conducting business with or for CPRA shall not operate nor be transported in CPRA owned/leased/hired water vessels.

News media personnel may accompany CPRA employees on vessels only with the prior approval of the Executive Director or designee.

VESSEL INSPECTIONS AND REPAIRS

A monthly inspection shall be performed on all water vessels, regardless of size, and corrective action for all identified deficiencies shall be performed and documented. Items to be inspected shall include, but are not limited to:

- Fire extinguishers
- Signaling devices
- Damage to a vessel
- Lighting
- Personal floatation devices
- Flares
- Communication devices
- Trailers

CORRECTIVE/DISCIPLINARY ACTION

For safety and accountability, the disciplinary process authorized by the Civil Service Rules will be used to address non-compliance with the requirements of this policy. Disciplinary action will be imposed only after a full and complete investigation. In addition to corrective action, an employee may be required to undergo additional training in operating a water vessel.

In the event an employee cannot achieve or maintain proficiency in operating a water vessel or is designated a high risk operator, termination of the employment relationship may be the course of action taken unless an alternative position is available that does not require operation of a water vessel.

CLAIMS REPORTING

The State of Louisiana, through the Office of Risk Management, may provide insurance coverage for bodily injury and/or property damage caused by operation of a CPRA owned/leased/hired water vessel. For this reason, property and/or general liability claims must be timely submitted in writing to ORM. A completed copy of the Operator Boating Incident Report, Authorization/Operating History Form (DA 2066) and Water Operator Record (WOR) shall be submitted with the claim to ORM as soon as possible. Completed forms are to be submitted to the Safety Coordinator and Fleet Manager for submitting to ORM.

All claims, demands, notices, citations, summons, lawsuits or other legal documents filed against CPRA by a third party shall immediately be forwarded to ORM's Claims Unit for handling.

ROLES AND RESPONSIBILITIES

EXECUTIVE DIRECTOR

- Requires and implements the CPRA's Water Vessel Operator Safety Program
- Stresses the importance of water vessel safety to all employees
- Ensures that only state owned/leased/hired water vessels are used to conduct CPRA business
- Ensures that state owned/leased/hired water vessels are used only to conduct CPRA business

SUPERVISORS

- Identifies and authorizes the employees required to operate water vessels to perform customary job duties
- Allows only authorized employees to operate CPRA owned/leased/hired water vessels
- Provides time for each authorized water vessel operator to attend the "BoatUS" (or other NASBLA-approved) safety training course and refresher courses
- Ensures that all vessels, equipment, supplies and required safety devices are functional and in good operating condition
- Ensures that all water vessel policies and procedures are followed
- Ensures the accuracy and timely submission of required reports

- Assists in conducting accident investigations
- Recommends that an employee's authorization to operate a water vessel be withdrawn for negligence, reckless operation, safety violations, citations or due to medical reasons
- Recommends disciplinary action for operators violating this policy

SAFETY COORDINATOR and FLEET MANAGER

Responsible for planning, organizing and monitoring CPRA's Water Vessel Operator Safety Program.

	SAFETY COORD.	FLEET MANAGER
Policies and procedures are established and implemented	X	
Training courses are conducted and documented		X
Official Driving Records (ODRs) from the Office of Motor Vehicles and Water Operator Records (WORs) from the Department of Wildlife and Fisheries are reviewed and maintained		X
Authorization/Operating History forms (DA 2066) are annually signed by the Executive Director or designee		X
"BoatUS" (or other approved National Association of State Boating Law Administrators) safety training and required refresher courses are timely taken by authorized operators		X
Accidents are reported, investigated and properly documented	X	X
Employees satisfy all requirements before being authorized to operate a water vessel		X

QUESTIONS

Questions regarding the interpretation, application or requirements of this policy should be directed to CPRA's Fleet Manager or the Safety Coordinator.

MR Ellis

MICHAEL R. ELLIS, EXECUTIVE DIRECTOR

5/5/17

DATE