

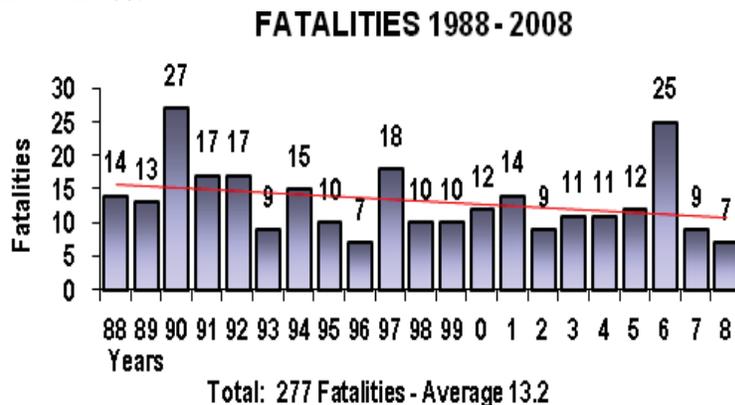
**RECREATIONAL BOATING SAFETY (RBS) PROGRAM
PERFORMANCE REPORT**

PART 1 C: ACCOMPLISHMENTS

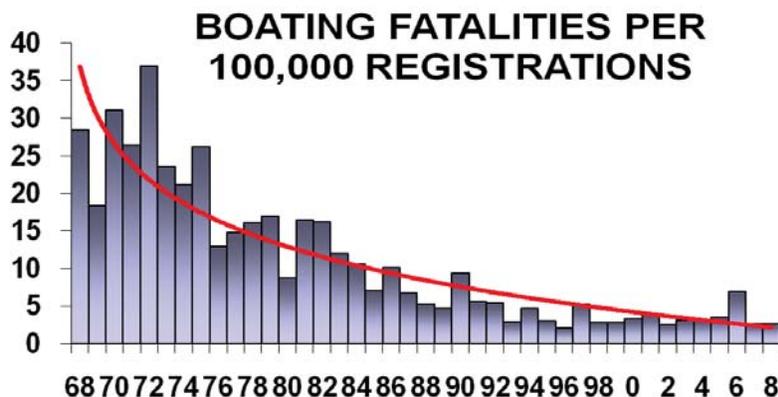
COMMONWEALTH OF PENNSYLVANIA

FOR THE PERIOD OCTOBER 1, 2007 TO SEPTEMBER 30, 2008

The Recreational Boating Program in Pennsylvania, which is administered by the Pennsylvania Fish and Boat Commission (Commission), is dependent on the infusion of funds from the Recreational Boating Safety Program grant to be successful. One way to measure the success of Pennsylvania’s boating safety program is the number of recreational boaters injured or killed in boating accidents. Because of the importance of weather and other factors impossible or difficult to control, the trend in boating accident fatalities is the statistic most valid for judging program success. The following graph shows boating fatalities in Pennsylvania from 1988 through September 30, 2008. In 2006, there was a dramatic spike in the number of recreational fatal boating accidents. Nineteen fatal recreational boating accidents with twenty-five fatalities were reported, more than double the number in 2005. Since the beginning of 2007 there has been a marked decrease in fatalities.

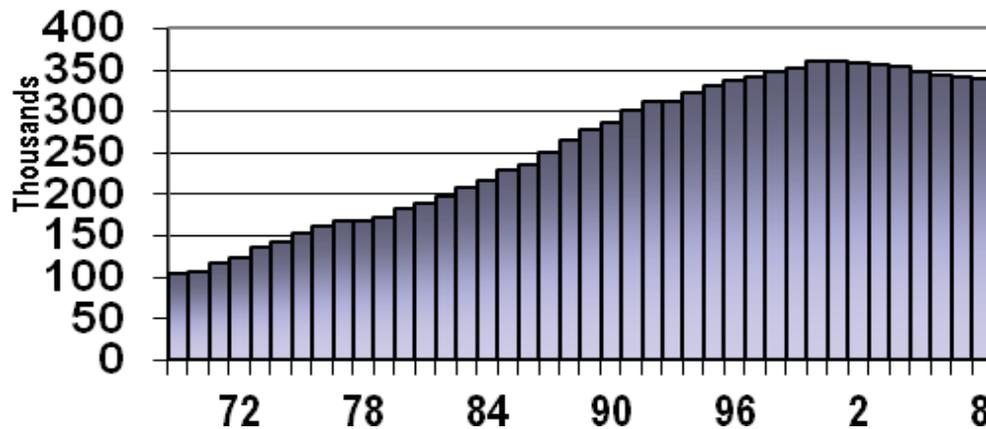


The success of the Commission’s boating safety program is illustrated by comparing the number of fatalities to the number of registered boats. These records are available for the last 41 years. The following graph shows the number of recreational boating fatalities per 100,000 registered boats. The huge increase in the number of boats registered in the Commonwealth over the last 41 years has been matched by a commensurate increase in boating safety. This would not have been possible without the support of Coast Guard RBS funding.

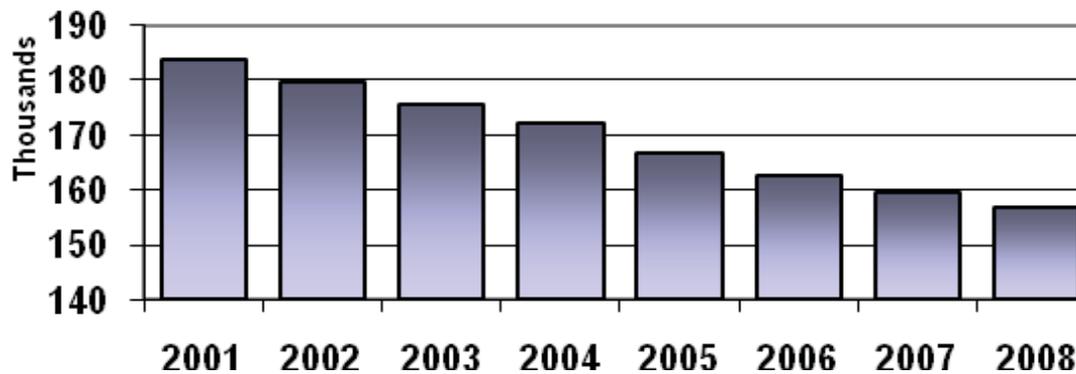


Pennsylvania experienced another slight decrease in boat registrations in 2008. The Commission registered 338,192 craft from 10/1/2007 through 9/30/2008. This represents a decrease of 3,047 boats from the previous year. This decrease is small but is significant as a trend. During the period of 1968-2008, boat registrations have gone up every year but nine and have declined in each of the last eight. The peak was in 2000 with 360,361 registered boats. This decline has been primarily in one class of boats. The numbers of motorboats less than 16 feet in length that are registered in Pennsylvania have declined steadily since 2000 (see chart below).

BOAT REGISTRATIONS 1968 - 2008



MOTORBOATS <16 FT. REGISTRATIONS



	2008 BOAT REG STATS	2007 BOAT REG STATS	2006 BOAT REG STATS	2005 BOAT REG STATS	2004 BOAT REG STATS	2003 BOAT REG STATS
Total Active Registrations:	338,192	341,239	344,452	348,512	353,478	355,246
Total Unpowered Vessels:	39,165	39,193	39,435	40,134	40,281	39,278
Total Active PWCs:	27,058	23,167	26,511	26,367	26,095	26,281
	MOTORBOATS BY CLASS:					
Less than 16 Ft.	156,784	159,505	162,626	166,546	172,265	175,444
16 Ft. to 25 Ft.	135,204	135,864	135,593	135,238	135,276	134,454
26 Ft. to 39 Ft.	6,180	6,073	5,958	5,841	5,720	5,543
40 Ft. to 65 Ft.	575	571	553	530	514	499
Boats > 65 Ft.	34	33	33	31	28	28
	REGISTERED UNPOWERED CRAFT:					
Rowboats	1,881	1,941	1,991	2,010	2,054	2,082
Sailboats	1,386	1,469	1,563	1,637	1,691	1,801
Canoes	20,735	21,395	22,202	23,211	24,122	24,337
Kayaks/Other Boats	15,163	14,388	13,679	13,276	12,414	11,058

The Commission has continued to train and employ quality conservation officers. The selection process for a new class of Waterways Conservation Officers (WCO) is underway. We are planning to hire fourteen new officers with training scheduled to commence in July of 2009. Boaters are generally a safe, law-abiding group. If there is a visible enforcement presence, problems seem minimal. Efforts to educate and control boat operators have worked.

The following goals and objectives were set for the Commission for the 2007 recreational boating safety grant year:

GOALS

1. Assure that an educated and informed boating public understands and practices boating safety.
2. Improve boating safety, limit the number of boating accidents, and reduce boater conflicts.
3. Provide adequate, effective and efficient enforcement of the boating laws and regulations.
4. Develop and maintain a liaison with other boating organizations and agencies.
5. Administer a boat registration system that is responsive to the needs of the Commission and the boating public, efficiently collects the revenues needed to run the boating program, and identifies legal ownership of recreational boats.
6. Provide recreational boaters with the highest quality boating facilities on all navigable water bodies of the state.

OBJECTIVES

1. Develop an active recreational boating planning program. This effort includes greater cooperation with the Pennsylvania Department of Conservation and Natural Resources (DCNR), the U.S. Army Corps of Engineers and private companies and entities who are prime providers of facilities in Pennsylvania.
2. Provide an efficient and cost-effective method of registering and titling boats, assuring that Pennsylvania receives and deposits the fees expeditiously and that the boat owner receives his title and registration certificates promptly and courteously.
3. Provide an adequate level of control over and distribution of aids to navigation, floating structures. Coordinate with the Pennsylvania DCNR and Department of Environmental Protection (DEP) on the issuance of permits that have recreational boating implications.
4. Provide training opportunities, educational materials, and support to boating education partners so all recreational boaters will be knowledgeable of the boating regulations and the principals of boating safety.
5. Make the necessary training available to police, fire, and rescue personnel to prevent unnecessary and tragic water related fatalities due to an inadequate understanding of the forces of water and how to handle water emergencies.
6. Assure that Pennsylvania boaters have available information and education programs that give them required or requested information.
7. Provide a law enforcement effort that assures an acceptable level of compliance with the boating laws and regulations.
8. Provide necessary vehicles, boats and other related equipment that Waterways Conservation Officers need for the efficient and effective performance of their duties.
9. Maintain the liaison between the PFBC, the U.S. Coast Guard, the U.S. Coast Guard Auxiliary, the U.S. Power Squadrons, and other boating safety organizations.

10. Provide grants to local governments for the planning, acquisition, development, expansion, and rehabilitation of public boating facilities located on the waters of Pennsylvania.

ADMINISTRATION

- 1. Maintain liaison with representatives of the boating industry, organized clubs, and organizations, private citizens, federal, state, and local officials responsible for parts of the Commonwealth's Boating Program to assure a greater cooperation and coordination of efforts.**

Staff met with the Pennsylvania Boating Association, PA Boating Association Southeast, U.S. Coast Guard Auxiliary, U.S Power Squadrons, the Pennsylvania Federation of Sportsmen's Clubs, numerous individual sportsmen's clubs, Water Trail sponsors, Corps of Engineer Lake Resource managers, the Erie and Three Rivers Water Safety Committees, the Governor's Youth Council and others.

- 2. Conduct a minimum of two Boating Advisory Board and four Commission meetings to formulate appropriate regulations and approaches to Pennsylvania's Boating Program and present solutions and recommendations to the PFBC for action.**

The Boating Advisory Board (Board) met once during the FFY 2008, January 8, 2008. The Board considered two items for further consideration by the Commission.

1. Amend Sections 91.6 (Boating Safety Education Certificates) and 91.7 (Criteria for Courses of Instruction in Boating Safety Education). The Board considered final rulemaking on changes to two related boating regulations. This is a clean-up of an existing regulation. The Mandatory Education Act requires the Commission to promulgate regulations that establish criteria for a course of instruction in boating safety education. This is necessary when selecting providers of internet, classroom and correspondence boating courses so that they may be provided with criteria which they must meet to be approved by the Commission. If the PFBC finds the criteria to be inadequate, incomplete, or too harsh, we can easily make changes by reposting in the PA Bulletin. The Board recommended final approval by the Commission.
2. Amend Section 111.2(c) to change the Slow No Wake area on the Pittsburgh pool of the Allegheny River. On May 1, 2003, the Commission amended §111.2(c) to extend the slow, no-wake zone (SNW) on the Allegheny River from the Fort Duquesne Bridge upriver to the Fort Wayne (Norfolk Southern) Bridge. Commission WCOs have been unable to enforce this extension of the SNW zone because it has not been properly marked. Commission staff made numerous attempts to receive permission from Norfolk Southern, the bridge owner, to place SNW signs on the bridge. A suitable agreement could not be reached with Norfolk Southern. Staff subsequently received permission from Penn DOT to place SNW signs on the 9th Street Bridge, which is downriver approximately 1,000 feet from the Fort Wayne (Norfolk Southern) Bridge.

The signs were installed on the 9th Street Bridge on May 9, 2007. The Commission therefore proposed to amend §111.2(c) to designate the 9th Street Bridge as the upriver SNW limit on the Allegheny River. The Board recommended final approval by the Commission.

3. Work with Pennsylvania legislature for the passage of laws that benefit boaters, particularly bills that would improve regulations addressing boating under the influence.

Act 17 of 2004 (HB-2004)

An Act amending the compact contained in the act of June 5, 1937 (P.L.1664, No.348), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania, and commissioners designated by the Governor of the State of Ohio, relative to the development, use, and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational, and park purposes," changing provisions relating to the operation of motor boats. Similar legislation was enacted and signed into law in the State of Ohio on June 13, 2008. The horsepower limit at Pymatuning Lake is now 20 horsepower.

BOAT REGISTRATION

1. Provide an effective and cost-efficient method of registering boats, assuring that Pennsylvania receives and deposits its fees expeditiously, and that the boat owner receives their registration certificate and/or boat title promptly and courteously.

No major enhancements were made to the method of registering boats in Pennsylvania because the methods currently in place are operating with the most recent advancements in the computer industry.

2. Continue to meet with a cross-section of boat dealers and lending institutions to ensure the new titling regulations meet their needs.

No new training sessions were held during the grant period.

EDUCATION

1. Continue to offer courses needed for operators of personal watercraft and certain other motorboat operators to obtain the required Boating Safety Education Certificate. There will be 10,000 students certified. Students will be certified through the following methods:

a. Continue to promote the PFBC's classroom boating course, Pennsylvania Basic Boating. Certify 1,000 students.

b. Continue to offer the Boating and Water Safety Awareness Program to schools and camps. Certify 1,000 students.

c. Continue to offer the PFBC's two long-distance learning Boat Pennsylvania courses so interested boaters can better understand the importance of boating safety

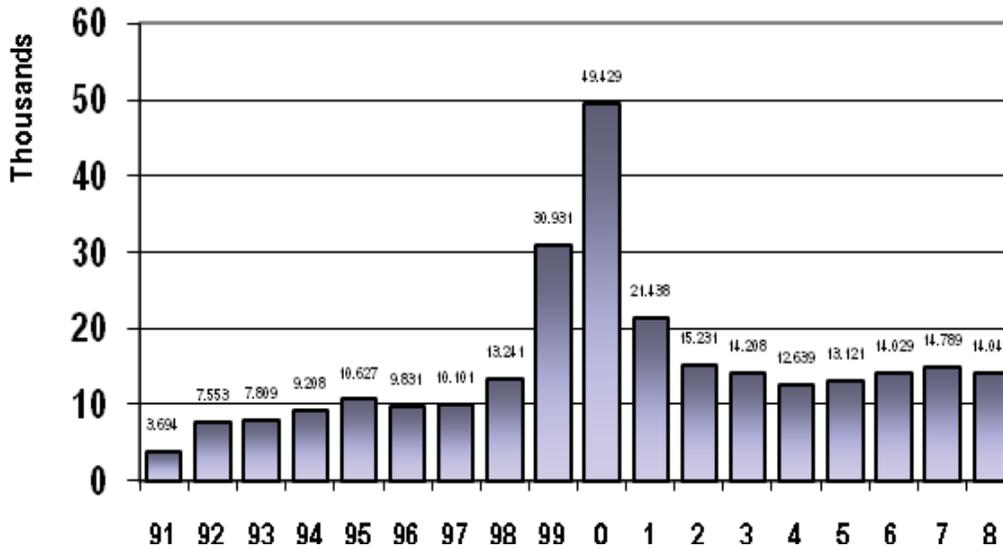
concepts by taking a course via the internet or video correspondence. Certify 8,000 students.

The Commission certified 14,039 students in National Association of Boating Law Administrators (NASBLA) approved boating courses from October 1, 2007 through September 30, 2008. This is 750 less than for Federal Fiscal Year (FFY) 2007 (see chart below). We have found that compliance with the mandatory education requirement is good to excellent and that most people required to obtain a Boating Safety Education Certificate to operate a personal watercraft or a motorboat powered by a motor greater than 25 horsepower have done so. The number of boating safety education certificates being issued is stable with only minor fluctuations over the last five years.

The agency issued boating safety education certificates to 2,103 students who successfully completed a PA Basic Boating course, which was 81 less than in the previous year. Not everyone who takes a boating course applies for boating safety education certificates. Many people take a boating course for fun or enrichment. The agency and its volunteers taught 125 PA Basic Boating Courses. Instructors reported that 2,457 students successfully completed this course in FFY 2008. Not all courses are reported.

The Commission issued boating safety education certificates to 889 students in Boating and Water Safety Awareness Courses in FFY 2008. Volunteers and staff taught 52 Commission courses. Expanding the number of students being certified in Boating and Water Safety Awareness is difficult because it requires a safe water site to conduct part of the course. We continue to attempt to bring additional school districts onboard to teach this valuable program. In addition, many students do not apply for certification after successfully completing this course because of the \$10 cost. Commission instructors submitted course records showing that 2,454 students successfully completed this course in FFY 2008. Only 36% of those students applied to the Commission for a boating safety education certificate.

BOATING SAFETY EDUCATION CERTIFICATES



Boating Course Criteria

In January 2008, the Commission amended regulations relating to criteria for courses of instruction in boating safety education. Those amendments authorize the Executive Director to establish course criteria and to designate, by notice, organizations that offer safety education courses that are acceptable for residents, non-residents or both. The section further provided that, in order to be approved by the Commission, a course of instruction in boating safety education has to meet the National Boating Safety Education Standards of , and receive the approval from, NASBLA.

Criteria for classroom, video and internet courses were published in the Pennsylvania Bulletin in April 2008 and are attached as appendix A, B and C, respectively. The criteria for internet courses requires that the course be actively managed, where students must spend a specific amount of time on each content area and demonstrate proficiency before moving on.

By publishing the Commission’s course criteria in a separate, easily revised document, the Commission will have greater flexibility in monitoring and regulating what courses are acceptable under Pennsylvania law.

Several known providers of boating courses were asked to submit proposals to offer courses in Pennsylvania, under these new criteria. Agreements were entered into with providers meeting the criteria. Effective July 1, 2008 the Commission had entered into agreement with five providers for delivery of three types of courses. Providers and approved course type are shown in the table below.

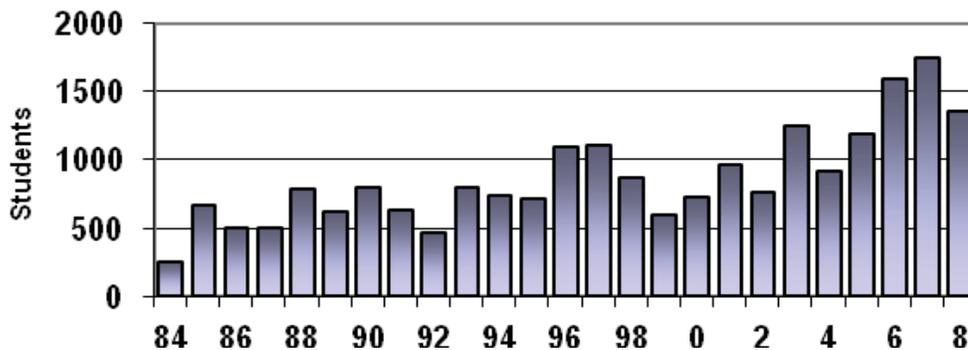
Provider Name	Type of Course Approved
America's Boating Classes	Classroom
Nautical Know How	Classroom
SafeBoating America	Classroom
Boat Ed	Correspondence
Boat Ed	Internet
Boater Exam America Inc.	Internet

None of the classroom providers offered courses during the reporting period. The two distance learning course providers began operation on July 1, 2008. We continue to be very successful with the distance learning courses and have received requests for our criteria from others states. 612 people completed the video correspondence course in FFY 2008. Only six people who took the correspondence course did not pass. 12,296 students completed the internet courses, with 10,580 successfully completing it. The Commission issued 9,960 boating education certificates to students for successfully completing these long-distance learning courses, a decrease of 321 from FFY 2007.

2. Continue to offer the Water Rescue Training Program to train water rescue volunteers and professionals in proper rescue techniques.

The Commission certified 1,352 students through 94 courses in the Water Rescue Program in FFY 2008, the third best year on record for this valuable program (see chart on next page). The Commission has a trained volunteer instructor corps of 150 individuals who provided more than 5,000 hours of training this past year. Our 2 ½-hour Water Rescue for the First Responder (Awareness) Course had another very good year, as well. More than 38 courses were taught with a student enrollment greater than 730. We are proud of our efforts in this program and have the largest program of its kind in the United States.

WATER RESCUE STUDENTS



- 3. Maintain the Volunteer Incentive Program (VIP) to prevent instructor burnout and encourage volunteer instructors to continue to teach. This program provides small gifts such as personal PFDs, ball caps, instructor shirts and rescue gear as an incentive to continue to participate in the program**

The Commission issued 120 awards to volunteer instructors in 2008 for a total value of \$4,459.25. Award items ranged from fishing line to dry suits.

- 4. Continue to foster a close working relationship with the U.S. Coast Guard Auxiliary and the U.S. Power Squadron's (USPS) education programs for boater safety certification. Make certain that all Auxiliary Flotillas and U.S. Power Squadrons in Pennsylvania receive an update with certification instructions.**

The Commission continued its recognition program to outstanding Auxiliary Flotillas and members in the 5NR. The Commission issued awards and certificates to outstanding Flotillas and Auxiliarists in the 5NR in Pennsylvania. The USCG Auxiliary turned in applications for the Commission to certify 1,168 students in FFY 2008, an increase of 28 certificates from FFY 2007. The USPS turned in applications for the Commission to certify 246 students in 2008, a decrease of 42 certificates. All Commission, Auxiliary, Power Squadron and other approved courses are listed on the Commission's web site. Course information is available from the Commission's toll-free telephone number. Commission representatives continue to attend USPS and USCG Auxiliary conferences, workshops, and (on request) teach the legal requirements section for their courses.

- 5. Promote safe boating habits and increase the knowledge of boaters through the production and distribution of boating safety literature. The literature will be distributed through the mail, boat and sports shows, and other outlets. Continue to update the safety brochures, information sheets, and PA Boating Handbook to ensure that boaters have up-to-date information on current boating laws and safety information. Provide a copy of the PA Boating Handbook to all first time boat owners and to participants in PFBC boating courses.**

Two existing boating safety publications were updated: the Boating Regulation Recap and the PA Boating Handbook. All are available online at the Commission's website: www.fish.state.pa.us. The Recap brochure is also provided in Spanish. The Boat Registration Section provided the newly revised PA Boating Handbook to each new boat owner. In addition, anyone taking and completing the PA Basic Boating Course or the Boating and Water Safety Awareness Course received a copy (total 100,000 distributed). Inserts on Commission boating education courses and launch permits were also distributed to all boat owners registering their boats during the 2008 calendar year (total 170,000 distributed). The Commission printed several new water trail guides that include boating safety information as well as a host of additional information. We distributed literature, either paid or free publications, at 40 boat and sports shows and approximately 250 requests for publications came via mail. The Commission's web site is a major source of boating safety information. There is an incredible array of boating and water safety materials at www.fish.state.pa.us. Everything from an enhanced version of our Boating Handbook to water trails to information on where to find a personal floatation device (PFD) is included. Links to our boating safety partners enhance the site.

- 6. Maintain a video library available to boating safety instructors, various organizations, clubs, and individuals from across the Commonwealth.**

The Bureau of Boating and Education received and filled 47 requests for videos to be used in boating courses and public speaking appearances.

- 7. Promote boating safety through news releases, radio advertisements, public service announcements, radio and TV interviews, and the Commission's Internet web page.**

In FFY 2008 a boat registration renewal mailing with an insert promoting safe boating practices was sent to 175,000 boat owners. In addition, the Commission launched a four-week statewide radio campaign through Radio PA Network which promoted water trails and safe boating practices. The campaign ran from May 26 – June 27, 2008. The Commission also used home page web banners on our web site during National Safe Boating Week to promote safety. The Commission issued six press releases on safe boating practices last year. As a result of these efforts, the Commission experienced a 33% increase in requests of boating safety and certificates pages on the Commission website.

AIDS-TO-NAVIGATION

- 1. Maintain a current computer-based inventory of all aids to navigation (ATON) in Pennsylvania with emphasis on the body of water, location (county), the owners of water, jurisdiction, number of aids, type of aid, wording of aid, maintenance responsibility, and approximate set and removal date.**

The Commission maintains accurate, up-to-date computerized records of all aids-to-navigation on Pennsylvania waters. The inventory is managed by the waterway programs manager and is kept current through the ATON Program with the cooperative efforts of the U.S. Coast Guard Auxiliary, federal and state agencies, and the Commission's WCOs.

- 2. Continue to maintain a numbering system for all aids with emphasis on determining the exact location of each aid and purpose. Further chart and map development will be accomplished when a computer-based mapping program is implemented.**

The Commission continues to operate an extensive Aids-to-Navigation Program. Most of our aids/floating structures are currently permitted. Efforts over the years have resulted in the location and permitting of all private aid/floating structures on state waters. Owners are attaching an identifying number to each aid to help establish their identity and location. Hand drawn maps with a few computer-generated maps are being used to graphically depict where buoys and structures are located for management purposes. The Commission is continues to work with GPS and GIS technology to generate body of water maps showing the location of Commission owned aids with plans to extend to privately owned aids.

- 3. Partner with the U.S. Coast Guard Auxiliary to provide for the timely reporting of problems within the ATON system.**

The Coast Guard Auxiliary provides a very valuable service to the Commission in the Aids-to-Navigation Verification Program. While on patrols, they observe aids-to-navigation and their positions are verified on charts provided by the Commission. Those aids that are missing damaged or off station are reported and corrective action is taken. This system has resulted in greater reliability of aids in Pennsylvania waters.

4. Educate the public in the use and identification of aids through the distribution of decals, pamphlets, magazine articles, and news releases describing aids.

The Coast Guard Auxiliary, Commission Boating Education Instructors and the program manager distributed more than 20,000 Uniform State Waterway Marker decals while conducting boating education classes. In addition, short articles on ATON appeared in the Pennsylvania Angler & Boater magazine.

5. Place information and danger signs at major access sites and hazardous areas.

Approximately 52 aluminum/fiberboard signs (4' x 4') warning boaters of Slow No Wake zones, dams, rocks and shoals were installed throughout Pennsylvania. An additional 40 aluminum/fiberboard waterway marker information signs (2' x 2') were placed at various access and key launch areas to inform the boaters of waterway symbols and their meanings.

6. Evaluate, and if necessary, expand the use of private organizations to place Aids to Navigation.

The Commission awarded 23 contracts in 2008 at a total cost of \$37,858.00. The contracts for these Commission-owned aids-to-navigation are part of our Boating Safety Program. These contracts free conservation officers to focus on other safety and enforcement duties.

7. Review and process all requests to install floating structures on State waters submitted by state, local governments, organizations and individuals.

Twenty four new applications were submitted, reviewed, approved and assigned a permit number. Three hundred permits due to expire in 2008 were renewed. Overall, there are currently a total of five hundred ninety-eight (598) active permits approved for the installation of floating structures on Commonwealth waters. These permits constitute a total of 3,274 structures (see the graph as shown below for details)

Float Permit ATON Quantities Report

Type	Quantity
Boom	1
Channel	151
Controlled Area	1,171
Float	312
Floating Dock	65
Hazard	250
Information	19
Jet Ski Course	3
Mooring	355
Other	80
Race Course	19
Restricted Area	803
Ski Ramp	3
Slalom Course	42

LAW ENFORCEMENT

1. Provide law enforcement patrols and the support for them to ensure compliance with existing laws and regulations regarding recreational boating.

The Bureau of Law Enforcement (bureau) duties and responsibilities during 2008 involved fish and boat code enforcement, public outreach efforts, specialized boating safety efforts, pollution and encroachment investigations, fish stocking, and providing emergency assistance during weather related incidents.

The Bureau of Law Enforcement directs the enforcement of Pennsylvania fishing and boating laws and regulations and certain water pollution laws. Waterways Conservation Officers also provide conservation education programs, review permits for mine drainage and stream encroachments, administer the Commission's special activities permits, and participate in fish stocking operations. Officers manned Commission displays at more than 20 outdoor sports shows held throughout the state. Officers attended and/or presented programs at over 1,148 public relations events in 2008. The bureau also operates the Commission's most active volunteer program, utilizing a force of more than 170 deputy WCOs.

The bureau operated during most of the year with eight vacant districts which were a result of retirements. Neighboring officers, deputies and regional office staff performed additional work to provide coverage in areas without an assigned district officer.

By December 18, 2008, conservation officers issued and the courts adjudicated 4,343 summary citations for fishing violations and 3,155 summary citations for boating violations. The most common boating violation (over 1,300 citations) continues to be the lack of or improper personal flotation devices onboard boats. Additional summary fish and boat violation citations were filed with district courts in 2008 and are awaiting final resolution. Officers also issued 26,214 warnings for fishing and boating violations and conducted safety

boardings on 28,082 recreational boats. The bureau issued 2,414 special activities permits for fishing tournaments and regattas. Officers issued 104 crimes code summary citations that were directly related to fishing and boating activities. Disorderly conduct, underage drinking, and violations of state park regulations comprised the majority of the citations issued.

Officers conducted 294 investigations involving pollution or encroachment incidents in or along Commonwealth waters.

Total boating-under-the-influence (BUI) arrests for 2008 were 83 with the earliest made May 24 and the latest, November 1. The Southcentral Region led the state in BUI arrests with a total of 27. Specialized BUI enforcement details were conducted throughout the state on waterways with the highest recreational boating use, including Presque Isle Bay, Three Rivers, Lake Wallenpaupack, Raystown Lake, Delaware River, Blue Marsh Lake, and several boating pools on the Susquehanna River. Officers investigated several high profile boating accidents that involved fatalities on Commonwealth waters. A total of 78 reportable boating accidents were investigated by our officers.

The recreational boating activity on all of our waterways dropped significantly in 2008, clearly as a result of high fuel prices. Boaters that ventured out on the water generally found a spot on the waterway and spent the better part of the day at anchor.

The bureau continued to replace aging patrol vehicles and boats within the limits of available funding. Several new law enforcement patrol boats were placed into service and others were re-powered. A new 23-foot aluminum center console patrol vessel was obtained for use on Lake Erie. A new storage building was completed in early fall in Erie County at our Fairview hatchery property which will provide for winter storage for all the boats operating on Lake Erie and maintenance work year-round.

At the end of 2008, our deputy force contains 170 members. The Bureau of Law Enforcement was unable to convene a basic Deputy Waterways Conservation Officer (DWCO) Training Class in 2008 due to a lack of qualified applicants.

Training is an integral part of operating a professional workforce, and the Bureau of Law Enforcement presented in-service update training at a regional level to all salaried officers and deputies during 2008. Training presented to the veteran officers included: Fish and Boat Code and regulation changes and updates, Act 120 legal updates regarding Title 18 (Crimes Code) and Title 75 (Vehicle Code), policy changes, and legislative issues. Annual recertification update training at regional levels continued throughout the year at each region to all WCOs and DWCOs regarding CPR, first aid, firearms day fire, and tactical and dim light qualifications. Bureau firearms instructors convened for a training and skills assessment workshop in June.

Currently the Bureau has eight vacant law enforcement positions. We are anticipating additional vacancies as a result of retirements. The bureau is in process of selecting a class of new WCOs. Over 600 individuals applied for the positions. Our Civil Service Commission is completing the written testing phase and indicated they would be able to provide us with a hiring list in early January 2009. The Commission would like to hire 14

applicants to become part of the 19th WCO Class. The current economic conditions and potential budget cuts may reduce the number of new hires. The training for the new officers is scheduled to begin in July of 2009 with graduation scheduled for August of 2010.

BOATING FACILITIES GRANT PROGRAM

- 1. Provide \$2,000,000 annually to local governments and organizations for the acquisition, planning, engineering, development, expansion and major rehabilitation of public recreational boat access facilities.**

The Commission did not award any new grants under the Boating Facilities Grant Program. The Commission decided to take a hiatus from the Boating Facility Grant Program in order to re-evaluate the program and to start developing a statewide boating access plan.

In April of 2008, the Commission opened the Boating Facility Grant Program and began accepting applications for the next round. The deadline for this round of grants was October 31, 2008.

Many of the applicants that applied for funding in the first three rounds of the Boating Facilities Grant Program have completed their projects. The applicants listed below have finished the construction of their projects and have been reimbursed through the Boating Facilities Grant Program.

Schuylkill County -- \$50,000
Cambria Somerset Authority -- \$25,000
Hunlock Township -- \$40,000
Harborcreek Township -- \$300,000
Carbon County -- \$39,553
Tamaqua Borough -- \$12,684
Halifax Borough -- \$65,000
East Coventry Township -- \$10,895
Sewickley Borough -- \$150,000
Lower Allen Township -- \$25,000
Silver Spring Township -- \$23,000
Manor Township -- \$3,000
City of Monessen -- \$125,000
East Penn Township -- \$157,808
Lackawanna County -- \$40,000
Union Township -- \$75,000
Lower Providence Township -- \$40,000
Northumberland Borough -- \$35,000
Lehigh County -- \$75,356
Ebensburg Borough -- \$40,000
Dauphin County -- \$75,000
City of Pittsburgh -- \$42,973

Total -- \$1,450,272

- 2. Develop Pennsylvania guidelines for the design and construction of public boat launching facilities to provide high quality, low maintenance and cost effective facilities that ensure safety and Americans with Disabilities Act of 1990 (ADA) compatibility.**

The Commission adopted the guidelines for the design and construction of public boat launching facilities from the States Organization for Boating Access (SOBA) manual entitled “*Design Handbook for Recreational Boating and Fishing Facilities*” (second edition). The manual provides detailed guidelines for the design and construction of public boat launching facilities and identifies all of the requirements to make the facilities ADA compliant.

- 3. Develop a Boating Access Plan that will identify and prioritize public boating facility needs throughout Pennsylvania and plan for funding and implementation of the recommended improvements.**

The Commission is working with DCNR and the Pennsylvania Environmental Council (PEC) to develop fishing and boating access plan for the state. The plan will identify current access areas, identify areas where additional access is needed, identify the existing conditions of the facilities and make recommendations for improving the facilities. The plan is scheduled to be completed by July 2009.

Appendix A

CLASSROOM BOATING SAFETY EDUCATION COURSE CRITERIA

Section 5103(e) (1) of the Fish and Boat Code, 30 Pa.C.S § 5103(e) (1), requires that the Pennsylvania Fish and Boat Commission (PFBC) promulgate regulations that establish criteria for courses of instruction in boating safety education. The following criteria will be used to approve classroom boating safety education courses for the purpose of issuance of Pennsylvania boating safety education certificates to Pennsylvania boat operators.

Overview

The boating education classroom course (classroom course) is an instructor-based course that allows students to study boating and boating safety and take a certification examination. The classroom course will consist of a complete educational curriculum covering the basics of boating safety, regulations and accepted best practices. The course will be presented in lesson format with in-depth coverage of the various topics listed in following sections. The classroom course is supported by a video and/or DVD and is taught by one or more instructors to one or more students. Once instruction of the course is complete, students take a proctored certification examination in a classroom environment.

The classroom course includes:

1. A lesson plan for instructors
2. A printed boating education student manual.
3. Boating education video(s) or DVD(s) that support the lecture parts of the course.
4. A proctored certification examination to take at the course location or at another monitored location.

Providers

Classroom courses shall be offered by providers that meet the requirements of the PFBC. Individuals or organizations that desire to provide a classroom course that is approved for Pennsylvania boaters shall be willing to enter into an agreement with the PFBC containing the Commonwealth's standard terms and conditions and the additional terms set forth in Exhibit A. This does not apply to the U.S. Coast Guard Auxiliary or to the U.S. Power Squadrons (USPS) who are excluded from this requirement. Prior to entering into an agreement with the PFBC, providers shall submit a request in writing to the PFBC's Director of Boating and shall demonstrate to the PFBC's satisfaction that the provider is capable of performing its obligations under the agreement. Providers shall demonstrate their capability by submitting the following documentation along with their request to the PFBC's Boating Director:

1. A description of the company and its capabilities including a description of type and number of staff and their responsibilities.

2. Proof that its course(s) have been approved by the National Association of State Boating Law Administrators (NASBLA).
3. The web address (if any) for their classroom course.
4. A complete copy of the lesson plan, including the certification examination for teaching the classroom course.
5. A sample of the video/DVD or PowerPoint presentation used to support the course.
6. A sample of the student manual or textbook used to teach the course.

Course Content

1. The course must be approved by NASBLA. Information on NASBLA approval is available on their web site at <http://www.nasbla.org/> or by calling the NASBLA office at 859-225-9487
2. In addition to NASBLA requirements, course content will include:
 - A description of boating in Pennsylvania.
 - PFBC regulatory responsibilities.
 - Types of boats, boat motors, and boat hulls.
 - Boat terminology including, but not limited, to: hull, bow, forward, aft, stern, port, starboard, transom, keel, freeboard, draft, beam, gunwale, bilge, waterline.
 - Long distance communication on the water.
 - Boat handling.
 - Process for passage through river locks.

Student Manual

Overview

The printed student manual will be a four-color student text, tailored to the Commonwealth of Pennsylvania, covering all of the Pennsylvania state-specific boating laws and regulations, navigational rules and aids, risk management, and responsibilities of boat operators. Pennsylvania state-specific information may, as an option, be provided in a separate text such as the PA Boating Handbook.

Course provider will:

1. Write all text used in the student manual.
2. Provide all graphics used in the student manual.
3. Procure any photographs needed for the student manual.
4. Design the cover and page layout of the student manual.
5. Make any and all revisions requested by the PFBC to any state-specific pages (if applicable) of the student manual.

6. Provide a complete color proof of the student manual to the PFBC for approval prior to teaching the classroom course.
7. Update the student manual to reflect changes in Federal and Pennsylvania laws and information.

Text quality and content

1. Text will be written in a clear, reader-friendly, and consistent style.
2. Boating terms will be defined.
3. The student manual will include chapter review exercises to aid students in retention of the material.

Graphics quality

1. The student manual will contain graphics to illustrate important information. All graphics will be full-color and realistic.
2. The student manual will, in addition, contain photographs to illustrate important information. All photographs will be high-resolution color photographs showing only current model boats.
3. All graphics and photographs illustrating persons in boats will show the persons properly wearing U.S. Coast Guard approved PFDs, unless the graphic or photograph is marked clearly as a prohibited situation.

Page layout quality

Layout of the student manual's text pages will be consistent throughout and have an attractive, easy-to-read, and contemporary look.

BOATING EDUCATION VIDEO AND/OR DVD

Overview

The boating education video and/or DVD must support the information being taught in the classroom course and may not conflict with the information being taught by the course instructors from the lesson plan, or the content of the student manual.

Video quality

1. Will be contemporary and professionally presented.
2. Audio and video tracks on the boater education video will be of good quality.

Certification Examination

1. The classroom course will include a comprehensive certification examination written to NASBLA Education Standard 9. The PFBC may choose 10 state-specific questions from the pool of at least 20 such questions developed by course provider and written to NASBLA Education Standard 9.
2. Classroom course examination will be designed to meet NASBLA requirements for examination security.
3. Course provider will provide grading of the certification examination and notify students of their scores.
4. All answers to the examination will be written on the Application for Boating Safety Certificate (available on written request from the PFBC).
5. Students with reading problems may have the test read to them at their request. This option should be explained well in advance of starting the testing procedure to allow for preparation.
6. The classroom course provider is responsible for maintaining the integrity of the certification examination. The course provider must take special care to prevent examination fraud or cheating.
7. Upon completion of the exam, each student's Application for Boating Safety Certificate is collected and graded by the course provider. Students are advised by the instructor of their grade.

Application for Boating Safety Education Certification

1. After grading the answer sheet part of the application, the course provider prints their name, instructor number (assigned by the PFBC in Harrisburg), signs each sheet of the application form, and returns the application to the students. The course provider must not allow the student to retain the completed answer sheet of the application form or any blank Application for Boating Safety Education Certificate forms.
2. The course provider is responsible to make certain that Applications for Boating Safety Certificate forms are properly completed and legible before students submit them via mail to the PFBC using the provided envelope. Course providers should never collect the certificate fee from the student.
3. Students should be advised to mail the completed applications immediately after the completion of the course to avoid a delay in receiving their certificates.
4. The applications are data entered at the PFBC in Harrisburg. Students will receive a Boating Safety Education Certificate in the mail (within 30 days after receipt in Harrisburg).
5. Students passing the course certification examination with a minimum grade of 80% may be issued a temporary boating safety education certificate (available on written request from the PFBC) by the course provider.

6. The temporary boating safety certificate expires 60 days after the date of issue. The temporary boating safety certificate used by the provider must be approved by the PFBC and will contain the following information: date of issue, date of expiration, name and address, type of course, hair color, eye color, sex, date of birth, NASBLA approval, signature of instructor and date, signature of student and date, instructions on how to obtain a permanent boating safety education certificate at a later date.

Boating Education Course Summary Sheet

1. Classroom courses must be documented to the PFBC using a boating education course summary sheet form (available on written request from the PFBC). Both sides (A and B) must be completed by the course provider.
2. At the completion of the course, the summary sheet must be mailed by the course provider to the PFBC in Harrisburg. The summary sheet documents the course to the PFBC and is used to cross-reference applications received by students.
3. The answer sheet part of the Application for Boating Safety Education Certification is not mailed to the PFBC. It is to be retained as part of the course provider's record and must not be returned to the student.
4. The instructor number for the course provider must be listed.
5. Student names must be listed in the spaces provided on the back of the form. Additional copies of the form may be used for large classes.

Exhibit A

Classroom Course Promotion and Advertising

All promotion of the classroom course will be done ethically and honestly and will not mislead the public in any way.

General Course Provider Tasks and Qualifications

The course provider will:

1. Be responsible for the ethical conduct of the classroom course instructor(s).
2. Be responsible for all development required for the classroom course.
3. Update the classroom course to reflect changes in Federal or State boating regulations or laws.
4. Issue temporary boating safety education certificates approved by the PFBC to students successfully completing the classroom course.
5. Respond to PFBC and public inquiries promptly.

6. Answer all technical questions related to using the classroom course, and any questions related to boating safety, laws, or other information that can be answered from the course material.
7. Forward any questions that cannot be answered with confidence to a designated PFBC contact.
8. Document to the PFBC using a boating education course summary sheet form.

Course Fees

Course providers may charge users a reasonable fee (not to exceed \$60.00) to take the classroom course.

Appendix B

CORRESPONDENCE BOATING EDUCATION COURSE CRITERIA

Section 5103(e) (1) of the Fish and Boat Code, 30 Pa.C.S § 5103(e) (1), requires that the Pennsylvania Fish and Boat Commission (PFBC) promulgate regulations that establish criteria for courses of instruction in boating safety education. The following criteria will be used to approve correspondence boating safety education courses for the purpose of issuance of Pennsylvania boating safety education certificates to Pennsylvania boat operators.

Overview

1. The correspondence boating education course is a video and/or DVD-based course that allows students to study boating and boating safety and take a certification examination at home.
2. The correspondence course includes:
 - A printed or digital boater education student manual.
 - A boater education video and/or DVD.
 - A certification examination to take at home, or at any remote location, or online.

Providers

Correspondence courses shall be offered by providers that meet the requirements of the PFBC. Individuals or organizations that desire to provide a correspondence course that is approved for Pennsylvania boaters shall be willing to enter into an agreement with the PFBC containing the Commonwealth's standard terms and conditions and the additional terms set forth in Exhibit A. Prior to entering into an agreement with the PFBC, providers shall submit a request in writing to the PFBC's Director of Boating and Access or designee, and shall demonstrate to the PFBC's satisfaction that the provider is capable of performing its obligations under the agreement. Providers shall demonstrate their capability by submitting the following documentation along with their request to the PFBC:

1. A description of the provider and its capabilities including a description of type and number of staff and their responsibilities.
2. Proof of ability to manage certification data securely and digitally. This will be demonstrated by providing either:
 - An existing computer-based database management system designed to manage certification data, or
 - Detailed specifications and a project plan to deliver such a computer-based system.
3. Copies of certification by the Payment Card Industry (PCI) to demonstrate provider's secure handling of students' credit card data.

4. Proof that provider's course(s) have been approved by NASBLA.
5. A sample of the completed correspondence course, the completed student manual, and a sample of the completed boater education video or DVD.

Course Content

1. The course must be approved by NASBLA. Information on this approval is available on their web site at <http://www.nasbla.org/> or by calling the NASBLA office at 859-225-9487
2. In addition to NASBLA requirements, course content will include:
 - A description of boating in Pennsylvania.
 - PFBC regulatory responsibilities.
 - Types of boats, boat motors, and boat hulls.
 - Boat terminology including, but not limited, to: hull, bow, forward, aft, stern, port, starboard, transom, keel, freeboard, draft, beam, gunwale, bilge, waterline.
 - Long distance communication on the water.
 - Boat handling.
 - Process for passage through river locks.

Student Manual

Overview

The digital and/or printed student manual will be a four-color student text, tailored to the Commonwealth of Pennsylvania, covering all of the Pennsylvania state-specific boating laws and regulations, navigational rules and aids, risk management, and responsibilities of boat operators. Course provider will:

1. Write all text used in the student manual.
2. Provide all graphics used in the student manual.
3. Procure any photographs needed for the student manual.
4. Design the cover and page layout of the student manual.
5. Make any and all revisions requested by the PFBC to any state-specific pages of the student manual.
6. Provide a complete color proof of the student manual to the PFBC for approval prior to distribution.
7. Update the student manual to reflect changes in Pennsylvania laws and information as requested by the PFBC with each subsequent edition.

Text quality and content

1. Text will be written in a clear, reader-friendly, and consistent style.
2. Boating terms will be defined.

3. The student manual will have additional pages available for Pennsylvania-specific information, which may include a quick reference chart of Pennsylvania-specific required equipment, an in-manual certification examination (see “certification examination”), an examination response form, or any other information desired by the PFBC. The Pennsylvania-specific information may be contained in a separate publication.
4. The student manual will include chapter review exercises to aid students in retention of the material.

Graphics quality

1. The student manual will contain graphics to illustrate important information. All graphics will be full-color and realistic.
2. The student manual will, in addition, contain photographs to illustrate important information. All photographs will be high-resolution color photographs.
3. All graphics and photographs illustrating persons in boats will show the persons properly wearing U.S. Coast Guard approved PFDs, unless the graphic or photograph is marked clearly as a prohibited situation.

Cover design and page layout quality

1. The student manual cover will be designed to give an attractive and contemporary look.
2. Layout of the student manual’s text pages will be consistent throughout and have an attractive, easy-to-read, and contemporary look.

VIDEO AND/OR DVD

Overview

1. The video and/or DVD must be a companion to the student manual. It must be available in VHS or DVD formats. The boater education video and/or DVD must contain up-to-date legal requirements, be at least 60-minutes in length and closed-captioned. It will cover, at a minimum, federal boating laws, required equipment, navigational rules and aids, and how to handle boating emergencies. The boater education video and/or DVD will follow the chapters in the student manual.

Video quality

1. Video will be contemporary and professionally presented.
2. Audio and video tracks on the boater education video will be of good quality.
3. Video will be produced with professional equipment.
4. DVD version will have a menu allowing play of each chapter.

Certification Examination

1. The correspondence course will include a comprehensive certification examination written to NASBLA Education Standard 9.
2. Correspondence course will include at least one (1) examination response form.
3. Correspondence course will be designed to meet NASBLA requirements for examination security.
4. Course provider will provide grading of the certification examination and notify students of their scores.

Certification

1. The correspondence course registration process will contain PFBC defined personal data fields to be collected from student applicants.
2. The registration process will check that all required data fields have been supplied by the student, and the process will allow data for fields such as hair color or race to be selected from a PFBC-specified list of allowed values.
3. Students passing the course certification examination with a minimum grade of 80% will be issued a temporary boating safety education certificate. The temporary boating safety certificate expires 60 days after the date of issue. The temporary boating safety certificate used by the provider must be approved by the PFBC and will contain the following information: date of issue, date of expiration, name and address, type of course, hair color, eye color, sex, date of birth, NASBLA approval, signature of instructor and date, a student signature and date section, instructions on how to obtain a permanent boating safety education certificate at a later date.

EXHIBIT A

Correspondence course promotion and advertising

1. All promotion of the correspondence course will be done ethically and honestly and will not mislead the public in any way. Promotions will not include contests or give-away promotions
2. Course provider will not receive direct or indirect compensation for providing an advertisement or link to another website from within the Internet course unless approved in advance in writing by the PFBC.

General Course Provider Tasks and Qualifications

The course provider will:

1. Employ sufficient staff to develop, maintain, operate and manage the course.

2. Issue temporary boating safety education certificates approved by the PFBC to students successfully completing the correspondence course.
3. Generate any reports on the student data and financial transactions that are requested by the PFBC including, but not limited to, year to date and monthly reports showing student demographics and fees collected.
4. Handle the purchase of PFBC boating safety education certificates by successful students as part of the correspondence course certification process and transfer the associated fees and certificate-purchaser data to the PFBC, electronically or in any agreed format to by the course provider and the PFBC, on at least a monthly basis.
5. Pay PFBC fees by check or electronic fund transfer.
6. Provide an E-mail address that allows users to contact the course provider and respond to all inquiries within 48 hours. (Automated responses merely stating that the user's E-mail has been received will not satisfy this requirement.)
7. Respond to PFBC queries promptly.
8. Answer all technical questions related to using the correspondence course, and also any questions related to boating safety, laws, or other information that can be answered from the course material.
9. Forward any questions that cannot be answered with confidence to a designated PFBC contact.
10. Maintain a complete backup of the student data for a period of five (5) years and make available to the PFBC, upon request, a complete copy of the digital files of the student data.
11. Provide a bond of a \$20,000 in the form specified by the PFBC to indemnify the PFBC against any loss or damage of monies that course provider collects on behalf of the PFBC (for example, fees collected for purchases of the PFBC-required boating safety education certificates) upon execution of the agreement between the course provider and the PFBC.
12. Collect all student data fields desired by the PFBC.
13. Adhere strictly to a privacy policy that ensures that student data will not be transferred to any party other than the PFBC and will not be used by course provider for any purpose except to issue students' certification cards. In the event course provider fails to adhere to this privacy policy, course provider agrees to pay the PFBC the sum of \$100 for each name or other piece of student data transferred or used in violation hereof. The course provider will state this privacy policy clearly in the correspondence course material.

Transfer of Data, Fees and Reports

The course provider will:

1. Pay all certification fees and administrative fees by check or electronic fund transfer on a monthly basis or other term as required by the PFBC.

2. Transfer student data to the PFBC digitally and securely in the form and format established by the PFBC.
3. Generate any reports on the student data and financial transactions that are requested by the PFBC including, but not limited to, year to date and monthly reports showing student demographics and fees collected.

Course Ordering and Fulfillment

The course provider will:

1. Fulfill orders of the correspondence course and mail them to purchasers within five (5) business days of receipt of an order.
2. Provide a toll-free telephone service for the public to order the correspondence course.
3. Set up the correspondence course registration process to collect the student data fields requested by the PFBC.

ADHERENCE TO PAYMENT CARD INDUSTRY SECURITY STANDARDS

Course provider will obtain and maintain certification by the Payment Card Industry (PCI) to ensure course provider's secure handling of students' credit card data. The PCI audits will cover course provider's web server, data management system, and associated networks. Additionally, course provider will meet those same payment card security standards with respect to course provider's handling of students' personal data. Detailed requirements are found in the document titled "Payment Card Industry (PCI) Data Security Standard" and can be downloaded from www.pcisecuritystandards.org.

Course Fees

Course provider may charge users a fee not to exceed \$50 (not including shipping and handling) for the correspondence course materials and to take the first certification examination.

Additional examination fees for correspondence course with more than one examination may not exceed \$10 per examination.

BOATING SAFETY EDUCATION CERTIFICATION FEE

Students who take the correspondence course must be given the option by the course provider of paying the \$10 fee required to obtain Pennsylvania boating safety education certification as follows:

1. Some students who purchase the correspondence course may choose to never send in their certification examination, and therefore, the \$10 fee cannot be collected at the time of purchase. However, the fee can be collected at the time the student mails in his/her certification examination for grading to the course provider.

2. The course provider will allow students to pay the PFBC's boating safety education certification fee by indicating this on the examination response form. The student, at his/her option, may pay the \$10 fee to the course provider for the boating safety education certificate, in addition to the existing (if any) examination processing fee. The course provider will process the \$10 fee as follows:
 - If the student passes the examination, the course provider will transfer the \$10 fee to the PFBC on a monthly basis.
 - If the student fails his/her first or second examination, the course provider will send the student a failure notice and a new examination response form, which the student may return at no additional charge (if applicable). The course provider will hold the \$10 fee awaiting the next attempt. If the student passes on his/her next try, the course provider will transfer the \$10 fee to the PFBC.
 - If the student fails his/her third attempt at the examination, the course provider will send the student a final failure notice and refund the \$10 fee to the student.

Administrative Fee to PFBC

The course providers will pay the PFBC an administrative fee of \$5 for each correspondence course certification examination submitted by a student to the course provider.

Appendix C

CRITERIA FOR INTERNET BOATING SAFETY EDUCATION COURSES

Section 5103(e) (1) of the Fish and Boat Code, 30 Pa.C.S § 5103(e) (1), requires that the Pennsylvania Fish and Boat Commission (PFBC) promulgate regulations that establish criteria for courses of instruction in boating safety education. The following criteria will be used to approve Internet Boating Safety Education courses for the purpose of issuance of Pennsylvania Boating Safety Education Certificates to Pennsylvania boat operators.

Overview

The Internet boating safety education course allows students to study boating and boating safety information and take a certification examination online in a secure Internet environment. The Internet course will consist of a complete educational curriculum covering the basics of boating safety, regulations and accepted best practices. The course will be presented in lesson format with in-depth coverage of the various topics listed in following sections. The information will be presented in a narrative fashion followed by review questions and discussion points. Courses that consist solely of questions with a correct answer description will not be deemed to meet the criteria contained in this document.

Providers

Internet courses shall be offered by providers that meet the requirements of the PFBC. Individuals or organizations that desire to provide an Internet boating safety education course that is approved for Pennsylvania boaters shall be willing to enter into an agreement with the PFBC containing the Commonwealth's standard terms and conditions and the additional terms set forth in Exhibit A. Prior to entering into an agreement with the PFBC, providers shall submit a request in writing to the PFBC's Director of Boating and Access or designee, and shall demonstrate to the PFBC's satisfaction that the provider is capable of performing its obligations under the agreement. Providers shall demonstrate their capability by submitting the following documentation along with their request to the PFBC:

1. A description of the provider and its capabilities including a description of type and number of staff and their responsibilities.
2. Proof of ability to manage certification data securely and digitally. This will be demonstrated by providing either:
 - An existing computer-based database management system designed to manage certification data, or
 - Detailed specifications and a project plan to deliver such a computer-based system.
3. Copies of certification by the Payment Card Industry (PCI) to demonstrate provider's secure handling of students' credit card data.

4. Proof that provider's course(s) have been approved by NASBLA.
5. The web address (URL) of the Internet course.

Course Content

1. The course must be approved by NASBLA. Information on NASBLA approval is available on their web site at <http://www.nasbla.org/> or by calling the NASBLA office at 859-225-9487
2. In addition to NASBLA requirements, course content will include:
 - A description of boating in Pennsylvania.
 - PFBC regulatory responsibilities.
 - Types of boats, boat motors, and boat hulls.
 - Boat terminology including, but not limited, to: hull, bow, forward, aft, stern, port, starboard, transom, keel, freeboard, draft, beam, gunwale, bilge, waterline.
 - Long distance communication on the water.
 - Boat handling.
 - Process for passage through river locks.

Organization

1. Internet course contents will be organized in chapters or lessons.
2. Internet course will include chapter/lesson review exercises.
3. Internet course will have a comprehensive final examination.

Animation quality

1. Internet course will include animations or video clips where appropriate to illustrate concepts.
2. Animations will be developed using vector-based graphics for viewing on a variety of screen resolutions.
3. Animations and/or video clips will be of reasonable file size for quick download and delivery on a wide variety of user platforms and connection speeds.
4. Animations and/or video clips will allow student-paced instruction, where the student controls the pacing of the instructional segment and can re-play the instructional segment.
5. Animations and/or video clips will be created in a contemporary design to engage all age groups, particularly the youth segment of the boating education market.

Internet course design quality

1. Internet course web page design will have an attractive, easy-to-read, and contemporary look and feel.

2. Internet course web page design will support all common user environments (various operating systems, web browsers, and connection speeds).
3. Boating terms used in the Internet course will be hyperlinked to their definitions the first time they appear in the course material.
4. Internet course will include hyperlinks to locations within the PFBC's website from all appropriate locations within the Internet course.

ADA version of Internet course design quality

1. Standard Internet course design will be developed so that it complies with all Priority 1 checkpoints within the Web Content Accessibility Guidelines 1.0 (WCAG) developed by the World Wide Web Consortium (W3C).
2. Internet course design will be compliant with the Americans with Disabilities Act. Course provider will schedule annual reviews of its course material to verify continuing ADA-compliance and implement any changes needed as a result in its development of new course material.

Internet Course Chapter Review Quiz, Pre-Test and Online Certification Examination

1. The Internet course must be organized into at least six chapters with a chapter review quiz at the end of each chapter.
2. The Internet course must be designed so that the student actively participates.
3. Students will not be able to access the certification examination without first successfully completing the chapter review quiz for each chapter.
4. Students will not be permitted to take the chapter review quiz without spending the minimum study time assigned to that chapter. The minimum study time assigned to each chapter must be approved by the PFBC. The minimum time for the Internet course to be completed by the student, not including the certification examination, is three hours. ***(NEW: The course must have a minimum of 150 sections in total. The time for each section is 30 seconds to two minutes. The student may stay in the section longer than two minutes.)***
5. There must be at least ten review questions for each chapter.
6. Students must successfully complete each chapter review quiz before progressing to the next chapter. Students may proceed once they have achieved at least a seventy percent on the chapter review quiz.
7. Students failing the chapter review quiz will be directed to study the material again and may not retake the quiz until they have again spent the minimum study time assigned to that chapter.
8. The testing portion of the Internet course will include a Pennsylvania-specific pre-test and certification examinations. The PFBC will review and approve all questions that are included in the examination question pool.

9. Internet course will have a testing algorithm for the pre-test and certification examinations.
10. The pre-test and final examination will contain at least 50 questions randomly drawn from a pool of questions written to NASBLA Education Standard 9.
11. The pre-test and final examination will also include, at least, an additional 10 Pennsylvania-specific questions drawn from the pool of at least 30 such questions developed by course provider and written to NASBLA Education Standard 9.
12. The randomization algorithm for online testing will create examinations that meet NASBLA Education Standard 9.2: Testing Standard 3.
13. Examination presentation will allow for the questions to be presented with color graphics or photos in order to test knowledge of aids-to-navigation, navigation rules, boating at night, and other subjects.
14. Testing questions will be grouped into the number of categories requested or approved by the PFBC. Each category will be defined by the PFBC in terms of the category description and the number of questions from that category that should appear on each randomly-generated pre-test or examination.
15. Each occurrence of the pre-test or certification examinations will be generated individually and uniquely for every student. The questions on each pre-test or examination will be chosen randomly from each of the defined categories according to the number of questions specified for that category included in NASBLA Education Standard 9.2: Test Standard 3 to ensure that each important topic is tested. The course certification examination process and design will not provide for or promote the use of reference materials during the examination process.
16. The pool of examination questions and associated graphics, the number and description of categories, the number of questions per category and the total number of questions on the pre-test and certification examination will be changed at any time upon request of the PFBC.
17. The pre-test and certification examinations will be graded automatically and the student given their score online.
18. A test critique will be generated and presented to the student each time a chapter/lesson review exercise, pre-test or certification examination is completed.
19. Students completing the pre-test will be presented with only the topics (categories) of questions for which they gave incorrect answers. The pre-test will not show students specifically which questions they missed.
20. Students completing the certification examination will be presented with the questions, the correct answers for those questions, explanations of the correct answers, and hyperlinks back to the relevant course material where those questions are covered.
21. The passing grade for the final examination will be 80%.

Certification

1. The course certification examination registration process will contain PFBC defined personal data fields to be collected from student applicants.
2. The online registration process will validate the data fields to ensure data integrity.
3. The registration process will check that all required data fields have been supplied by the student, and the process will allow data for fields such as hair color or race to be selected from a PFBC-specified list of allowed values.
4. Students passing the course certification examination with a minimum grade of 80% will be issued a temporary boating safety education certificate. Provider will not allow the downloading of the form to the student's computer in a form that can be edited by the recipient. This will be accomplished by a locked PDF file or other secure method. The provider will arrange for resolution of any printing problems and provide for the mailing of the original or duplicate temporary certificate. The temporary boating safety education certificate will display a code (character string) that is tied uniquely to that student's personal data, so that the PFBC can decode it easily to determine if the temporary certificate was generated fraudulently.
5. The temporary boating safety certificate expires 60 days after the date of issue. The temporary boating safety certificate used by the provider must be approved by the PFBC and will contain the following information: date of issue, date of expiration, name and address, type of course, hair color, eye color, sex, date of birth, NASBLA approval, electronic signature of instructor and date, signature of student and date, instructions on how to obtain a permanent boating safety education certificate at a later date.

Exhibit A

Internet course promotion and advertising

1. All promotion of the Internet course will be done ethically and honestly and will not mislead the public in any way. Promotions will not include contests or give-away promotions. Course provider will not advertise the Internet course from within other websites where the other websites are designed in a way that misleads the public.
2. Course provider will not collect names or E-mail addresses of other potential students from the online students. Any direct solicitation of potential students via E-mail, mail, or telephone will be approved in advance in writing by the PFBC.
3. Course provider will not receive direct or indirect compensation for providing an advertisement or link to another website from within the Internet course unless approved in advance in writing by the PFBC.

General Course Provider Tasks and Qualifications

The course provider will:

1. Employ sufficient staff to develop, maintain, operate and manage the course.
2. Secure an Internet Domain (URL address) to host the course and publish the course on the Internet.
3. Issue temporary boating safety education certificates approved by the PFBC to students successfully completing the Internet course.
4. Generate any reports on the student data and financial transactions that are requested by the PFBC including, but not limited to, year to date and monthly reports showing student demographics and fees collected.
5. Handle the purchase of PFBC boating safety education certificates by successful students as part of the course certification process and transfer the associated fees and certificate-purchaser data to the PFBC, electronically or in any agreed format to by the course provider and the PFBC, on at least a monthly basis.
6. Pay PFBC fees by check or electronic fund transfer.
7. Update the Internet course to reflect changes in Federal or State regulations or laws and make any other changes or corrections to the Internet course that are requested by the PFBC at any time.
8. Provide an email link that allows users to contact the course provider and respond to all inquiries within 48 hours. (Automated responses merely stating that the user's E-mail has been received will not satisfy this requirement.)
9. Respond to PFBC queries promptly.
10. Provide daily (including weekend) service for the Internet course
11. Answer all technical questions related to using the Internet course, and also any questions related to boating safety, laws, etc. that can be answered from the course material.
12. Forward any questions that cannot be answered with confidence to a designated PFBC contact.
13. Maintain a complete backup of the student data for a period of five (5) years and make available to the PFBC, upon request, a complete copy of the digital files of the student data.
14. Provide a bond of a \$20,000 in the form approved by the PFBC to indemnify the PFBC against any loss or damage of monies that course provider collects on behalf of the PFBC (for example, fees collected for purchases of the PFBC-required boating safety education certificates) upon execution of the agreement between the course provider and the PFBC.
15. Collect all student data fields desired by the PFBC.
16. Adhere strictly to a privacy policy that ensures that student data will not be transferred to any party other than the PFBC and will not be used by course provider for any purpose except to issue students' certification cards. In the event course provider fails to adhere to this privacy policy, course provider agrees to pay the PFBC the sum of \$100 for each name

or other piece of student data transferred or used in violation hereof. The course provider will state this privacy policy clearly on its web page that is accessible from every web page in the Internet course material and examination.

ADHERENCE TO PAYMENT CARD INDUSTRY SECURITY STANDARDS

Course provider will obtain and maintain certification by the Payment Card Industry (PCI) to ensure course provider's secure handling of students' credit card data. The PCI audits will cover course provider's web server, data management system, and associated networks. Additionally, course provider will meet those same payment card security standards with respect to course provider's handling of students' personal data. Detailed requirements are found in the document titled "Payment Card Industry (PCI) Data Security Standard" and can be downloaded from www.pcisecuritystandards.org.

Course Fees

Course providers may charge users a reasonable fee not to exceed \$35.00 to take the Internet course and online certification examination.

BOATING SAFETY EDUCATION CERTIFICATION FEE

Students who take the Internet boating safety education course will be given the option by the course provider of paying the \$10 fee required to obtain Pennsylvania boating safety education certification as follows:

1. Establish and administrative procedure to allow students to purchase a Pennsylvania boating safety education certificate as part of the Internet course certification process.
2. The course provider will collect the \$10 fee from the student in addition to the charge (if any) for the Internet boating education course examination.
3. The course provider will provide instruction to students who choose to not pay the \$10 fee at the time of passing the online examination on how to obtain a permanent boating safety education certificate at a later date. The instructions will appear on the notes displayed on the temporary certification card and on the instructions page for the online examination.

Administrative Fee to PFBC

The course providers will pay the PFBC an administrative fee of \$5 for each boating safety education certification examination.

Transfer of Data, Fees and Reports

The course provider will:

1. Pay all certification fees and administrative fees by check or electronic fund transfer on a monthly basis or other term as required by the PFBC.
2. Transfer student data to the PFBC digitally and securely in the form and format established by the PFBC.
3. Generate any reports on the student data and financial transactions that are requested by the PFBC including, but not limited to, year to date and monthly reports showing student demographics and fees collected.