

Richardson's Bay Regional Agency (RBRA)

Safe & Seaworthy Requirements, Policy and Enforcement Priorities

- 1) Current and valid vessel registration with the California Department of Motor Vehicles (DMV) or documentation with the United States Coast Guard (USCG)
The vessel must be properly registered and the occupant must be able to produce valid registration or documentation for their vessel. If the registration is not up to date because of informal ownership transactions, the RBRA and partner organizations can provide information about how to apply for current and valid DMV registration or USCG documentation.

- 2) Maintain an operable, seaworthy vessel and other required vessel conditions
Chapter 1.04 of the RBRA code clearly defines the terms "Operable" and "Seaworthy". This includes, but is not limited to, the following requirements: the vessel must be able to maneuver safely under its own power using its usual and customary equipment; the vessel's hull, keel, decking, cabin and mast are structurally sound and vessel is free of excessive marine growth, excessive delamination or excessive dry rot that compromises the vessel's integrity to stay intact and afloat without extraordinary measures. Vessels must contain functioning self-contained waste management facilities that are properly emptied at regular periods (either by visiting a pumpout station or utilizing a mobile pumpout service); and, the vessel must maintain decks clear of debris so that the helm and ground tackle can be easily and quickly accessed. The RBRA will provide the standards and criteria contained in RBRA ordinances to each enrolling vessel.

- 3) Maintain properly functioning ground tackle.
The vessel must be able to deploy and retrieve properly functioning ground tackle without extraordinary effort. A seaworthy vessel can properly deploy and set an anchor, and retrieve an anchor.

- 4) Vessel safety and security:
Vessels that run adrift, aground or sink are in violation of local and state ordinances and will be subject to removal as an enforcement priority.

- 5) Possession of a valid California Boater Card by the required State deadline for the boater's age, which is:
 - January 1, 2020 Persons 35 years of age or younger
 - January 1, 2021 Persons 40 years of age or younger
 - January 1, 2022 Persons 45 years of age or younger
 - January 1, 2023 Persons 50 years of age or younger
 - January 1, 2024 Persons 60 years of age or younger
 - January 1, 2025 All persons regardless of age

6) Criminal activity:

Vessels occupied by persons who are convicted of criminal activity occurring on Richardson's Bay, a public or private dock, or another bay/shore access point during or after the Safe & Seaworthy enrollment period may lose eligibility for enrollment or legacy designation and become subject to removal as an enforcement priority.

7) Vessel occupancy:

Vessel occupancy enrollment is not transferrable. The person who enrolled the vessel in the Safe & Seaworthy Program must maintain occupancy on that vessel, or the vessel will become subject to removal as an enforcement priority. No additional persons may occupy enrolled vessels without enrolling with the Harbormaster. Occupancy is defined as being present on the vessel the majority of the days of the week or days in a month, subject to any exceptions granted at the sole discretion of the Harbormaster. Vessels with unenrolled new occupants will become subject to removal as an enforcement priority.

8) Additional Vessels:

Additional vessels brought into the anchorage by occupants of vessels on the anchorage will be ineligible for legacy vessel status, will be subject to time limits and removal as an enforcement priority

9) Potential vessel replacement:

RBRA may establish under what conditions, if any, vessel owners/occupants enrolled in the Safe & Seaworthy program may request and be conditionally granted one-time permission to replace their vessel before the deadline by which vessels must meet RBRA requirements. Unless or until conditions are established, vessels may not be replaced, unless the Harbormaster determines that a replacement vessel is warranted to advance the objectives of the Safe & Seaworthy program.

10) Legacy Vessels: Vessels that successfully complete the Safe & Seaworthy program by meeting existing RBRA vessel and occupancy requirements, and whose occupants further demonstrate their ability to continue to safely operate and maintain their vessel, will gain discretionary RBRA enforcement priority designation as a legacy vessel. Legacy vessels will continue to be in violation of the anchorage's time limitations, but RBRA, in its continuing discretion to set enforcement priorities, will defer enforcement of the deadlines until after a legacy vessel sunset date, as long as vessels and occupants continue to comply with all RBRA requirements and criteria, as they may be updated or amended.

11) Ongoing compliance:

Vessels and their occupants who fail to maintain compliance with RBRA's Safe & Seaworthy program requirements will not be eligible for discretionary legacy vessel status or will lose such status. Those vessels will be subject to removal as an enforcement priority.

12) Other Federal, State, and County rules and regulations

Vessels that fail to meet or maintain compliance with any applicable Federal, State, and County rules and regulations in addition to RBRA regulations will be subject to removal as an enforcement priority.

Richardson's Bay Regional Agency
Safe & Seaworthy Program Procedures and Enforcement Priorities Timeline

July 1, 2020 : Notification and Enrollment Period Begins

RBRA staff will give notification to vessels that appear on the August 2019 survey about the Safe & Seaworthy program, application and enrollment process, current requirements, and deadlines. The Harbormaster and/or Assistant Harbormaster will meet with owners/occupants of eligible vessels who are interested in enrolling in the program, collect information about the vessel and occupants, inspect the vessel for compliance with current RBRA requirements, and advise the owner/occupants of any deficiencies needing correction or improvement to meet RBRA requirements in place at that time.

October 15, 2020: Safe & Seaworthy Program Enrollment Deadline

This is the date by which eligible vessels and their occupants must have requested enrollment through the RBRA Harbormaster or Assistant Harbormaster in RBRA's Safe & Seaworthy Program, provided the required information, and received RBRA inspection, or will become an enforcement priority and subject to removal.

October 15, 2020 to October 15, 2021: Certification period

RBRA staff will be available to do follow up inspections and certify enrolled vessels and occupants that meet RBRA's requirements as being eligible for legacy vessel status. The discretionary legacy vessel status may be revoked by RBRA at any time; circumstances that would likely cause revocation is that the vessel and/or its occupants fall out of compliance with present or future RBRA requirements.

February 15, 2021: DMV Registration/USCG Documentation Deadline

This is the date by which vessels must have current and valid DMV registration or USCG documentation. Vessels without valid registration/documentation will be subject to removal as an enforcement priority.

October 15, 2021: Deadline for compliance with RBRA requirements

This is the date by which vessels and owners/occupants must meet all RBRA requirements. Vessels that meet all requirements by this date will receive RBRA discretionary legacy vessel status. Vessels will be subject to passing RBRA inspection on a periodic basis to maintain legacy status. Vessels that fail to comply or maintain compliance with RBRA requirements will become subject to removal as an enforcement priority.

Sunset date for occupied vessels: The RBRA Board of Directors will set a date by which occupied vessels, including legacy vessels, will be subject to removal as an enforcement priority.