



FLORIDA DEPARTMENT OF Environmental Protection

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Memorandum

TO: DEAR Staff

FROM: Kim Shugar, Ken Weaver, and David Whiting

SUBJECT: Boating Safety and Training Responsibilities

DATE: June 6, 2023

The safety and well-being of our staff and the public is a top priority for DEAR leadership. Given this priority, DEAR is enacting/reinforcing policies and instituting a tracking procedure to ensure that all applicable staff have the appropriate training and certifications to perform their duties safely, including the Boater Safety Education course and certification. The department's policies and procedures related to boating safety and certification are provided in [Directive 270](#). In general, to be authorized to operate state-owned watercraft other than Class A-1, personnel must successfully complete an approved Florida Fish and Wildlife (FWC) Boating Safety Course (e.g., [BoatUs Foundation](#)) or have a valid U.S. Coast Guard Operator of Uninspected Passenger Vessels (Charter Boat Captain) license, and must also complete the applicable portion(s) of the requirements listed in Directive 270 for the specific class of watercraft. New employees without prior boating experience can gain on-the-job training from a DEP certified operator on the class of vessel they will be operating. The watercraft classes are defined in the directive and are summarized as:

- Class A-1 – Watercraft less than 12 feet, canoes, kayaks, or any other manually propelled watercraft
- Class A-2 – Watercraft 12 feet to less than 16 feet and all powered canoes.
- Class 1 – Watercraft 16 feet to less than 26 feet.
- Class 2 – Watercraft 26 feet to less than 40 feet.
- Class 3 – Watercraft 40 feet to less than 65 feet.
- Special Class – Airboats.

The division is instituting and reinforcing the following additional boating safety and training policies:

- Any time a boat is operated, at least one person on board must be a certified operator¹ for the specific class of watercraft to be operated. That individual will complete and sign the Float Plan and is responsible for the safe operation of the boat. They may additionally act as a trainer.
- Employees who have not successfully completed the training and examination process applicable to a given watercraft class shall not operate or trailer that class of watercraft for DEP, except under the supervision of a certified operator (trainer) for the purposes of on-the-job training.
- Although the individual who signed the Float Plan is responsible for the safe operation of a DEP vessel, each individual, including trainees, is ultimately responsible for their own actions and will

¹A certified operator is defined as an individual who has successfully completed the requirements specified in Directive 270 for the specific class of watercraft to be operated, including completion of the Boating Safety Course, and passing the applicable practical exam and skills test (i.e., DEP 51-033, DEP Canoe & Kayak Operation Practical Exam; and/or DEP 51-036, Watercraft Trailing and Practical Exam).

be held accountable. Trainees should heed the directions and instruction provided by the trainer. Failure to heed directions/instruction will lead to disciplinary action.

- All new boat operators must read Directive 270 and complete the BoatUS online class and pass the test before they will be allowed to initiate on-the-job training under the direction of a certified operator (trainer). Each employee whose position description identifies boating certification as a requirement must complete the [BoatUS](#) training within one month of their hire date.
- New boat operators are provided on-the-job training by certified operators who have been identified as trainers, with the goal of completing the training in a timely manner. Pursuant to this goal DEAR is instituting a nine-month time limit from the date of passing the BoatUS test for new boat operators to successfully complete on-the-job training and the applicable practical exam (i.e., DEP 51-033, DEP Canoe & Kayak Operation Practical Exam; and/or DEP 51-036, Watercraft Trailing and Practical Exam). The nine-month time limit applies to each class of watercraft used to perform the employee's job duties.
- Extensions to the nine-month time limit may be granted in extenuating circumstances (e.g., scheduling conflicts, lack of training opportunities) with the permission of the appropriate deputy director; however, these exceptions will be time-limited, will only be granted if the employee is making reasonable progress, and may include additional specific conditions on a case-by-case basis².
- An individual who is neither a certified operator (for the given watercraft class) nor participating within the approved training time period shall not operate a DEP watercraft or trailer, except for an emergency situation where the certified operator is suddenly unable to operate the vessel due to an accident or other limiting factor while in the field.
- Supervisors are responsible for ensuring that all employees make reasonable progress with timely completion of training and certifications.
- During the training process, supervisors must discuss training performance with employees. Adaptive management should be used to provide new employees with the information and training they need to be successful. Any issues need to be documented and addressed immediately by the supervisor.

The division has developed an [Excel-based tracker](#) to track boating related training and ensure that all applicable staff have the appropriate training and certifications in accordance with Directive 270. Supervisors are responsible for keeping the tracking sheet current. Program administrators will review the tracking sheet monthly with the supervisors. Deputy directors will review it quarterly with the appropriate program administrator.

Boating trainers play a critical role in ensuring the safe operation and transportation of DEP watercraft. Boating trainers will be identified by supervisors. Trainers must be certified operators, experienced in boat operation and trailering, and should be skilled at providing clear and patient instruction. Once deemed competent, the boating trainer is expected to perform on-the-job training for trailering and operating boats with new boat operators. DEAR has outlined guidelines for the boating operator when performing on-the-job training. It is the responsibility of boating trainers to:

- Maintain familiarity with Directive 270.
- Verify that any new employees have completed the BoatUS online class and passed the test before operating or trailering a vessel under the supervision of a certified operator.
- Provide direction and instruction to the trainee while they are learning to operate the vessel and trailer a vessel.
- Observe the actions of trainees while they are operating the vessel or trailering, and provide timely feedback to the trainee, including the need for corrective action.

² The time limit for employees hired before the date of this memo who are currently undergoing on-the-job training will be determined on a case-by-case basis depending on their training status (based on the checklist). In no case will the employees be given less than 3 additional months to complete the training and certification process.

- Take over operations if the trainee is not operating the vessel safely and/or does not have the skill/experience to operate the vessel or vehicle given the current conditions (e.g., inclement weather, strong currents, congested traffic). Transfer of vessel or vehicle control should only occur when and where it is safe to do so. The trainer should explain to the trainee, when it is safe to do so, why they determined the need to take control. Failure to relinquish control of the vessel or tow vehicle on the part of the trainee must be reported to the supervisor and may result in disciplinary action up to and including dismissal.
- Immediately communicate to the trainer's and trainee's supervisor(s) any concerns about unsafe conditions or actions. The supervisor and program administrator are ultimately responsible for addressing any situation where an employee is unable or unwilling to operate vessels and vehicles safely and adhering to agency and division policy and directives.
- Update the Boating Safety Checklist following each training event. The checklist will be shared in a common location and should document (with comments) that the trainer has assessed the trainee on key training points and whether the trainee is on track or deficient. Deficiencies should be communicated directly to the trainee's supervisor. Additionally, communication requirements may be established at the program level.

Staff have a responsibility to provide timely reports of unsafe driving or boat operations to their supervisors. Supervisors are responsible for taking immediate and appropriate action(s) to address the situation, including communicating safety concerns to their program administrator and DEAR leadership. Any accidents or incidents including unsafe or reckless operations must be reported to the appropriate program administrator and deputy director. The deputy director, in coordination with the DEAR director, will be responsible for determining whether additional investigation or action is warranted. This requirement is in addition to the policies provided in Directive 310, which requires all collisions, crashes or accidents involving state-owned vehicles or watercraft to be investigated by the proper law enforcement agency and reported to the employee's supervisor. Additionally, staff and supervisors should refer to the [Workers' Compensation Resources](#) webpage for information on reporting injuries and seeking medical treatment.