

ISSUES SUBMITTAL FORM

Date: 07/03/2025

ISSUE:	Should CPW require all persons operating a Class A or Class 1 motorized vessel above a wakeless speed to use an Engine Cut-Off Switch (ECOS)?
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>Colorado Parks and Wildlife is statutorily responsible for boating safety in the state of Colorado as defined in section 33-13-101: "It is the policy of this state to administer the registration and numbering of vessels in accordance with federal laws pertaining thereto and to promote the safety of persons and property in connection with the use, operation, and equipment of vessels."</p> <p>The US Coast Guard requires all recreational vessels less than 26ft in length that were built after 2018 to use an engine cut-off switch while operating on plane or above displacement speed. CPW receives grant funding from the US Coast Guard and is required to tailor its regulations to meet US Coast Guard requirements.</p> <p>NOTE: Per 33-13-106(2) Personal Watercraft (PWC) are exempted from the above change, as operators of a PWC are already required to wear a ECOS at all times.</p> <p>The change in this regulation is aimed at protecting the boating and unassuming public from vessels where the operator has been thrown overboard or otherwise incapacitated while the vessel is under power by cutting the power from the motor using an engine cut off switch.</p>	
STATE LAW REQUIRES CPW TO SOLICIT INPUT FROM STAKEHOLDERS THAT MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE PROPOSED RULES. THE FOLLOWING STAKEHOLDERS HAVE BEEN ADVISED OF AND INVITED TO PROVIDE INPUT ON THE REGULATORY CHANGES PROPOSED IN THIS ISSUE PAPER:	
IT IS ASSUMED THAT ALL NECESSARTY INTERNAL PARTIES HAVE BEEN NOTIFIED.	
CPW contacted the Colorado Marine Dealers Association (CMDA) who said they did not have any opposition to the proposed regulations.	
ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):	
<p>*Preferred Alternative*: Changing the language of regulation #218 to the following:</p> <ol style="list-style-type: none">1. The term "wake" means a movement of the water created by a boat underway, great enough to disturb a boat at rest, but under no circumstances shall a boat underway exceed five (5) miles per hour while in a posted wakeless area. The term "above a wakeless speed" means operating a vessel at such a speed as to create a wake. No person shall operate any vessel in such a manner as to create a wake when such waters or parts thereof are posted by signs or marked by buoys prohibiting a wake.2. Persons operating vessels which pass within one hundred fifty feet of any swimming area, moored vessel, person on shore engaged in fishing, or person in a vessel engaged in servicing buoys or markings shall reduce the speed of the vessels in order to prevent the wash or wake of the vessel from causing damage or inconvenience.3. No person shall operate a motorboat with any person riding or sitting on either the starboard or port gunwales thereof, or on the decking over the bow, or in any other unsafe position, except when the boat is being moored or anchored.	

<p>4. No person shall operate or offer for rent any vessel which is overloaded, or unseaworthy, taking into consideration rated capacities, weather, type of construction, and other existing conditions.</p> <p>5. No person shall operate or anchor a vessel within one hundred fifty feet of any person on shore engaged in fishing, except where narrow passages or coves make such operation restrictions impractical.</p> <p>6. No person shall operate a Class A or Class 1 motorized vessel above a wakeless speed without using an Engine Cut-Off Switch (ECOS).</p> <p>a. Exemptions:</p> <p>i. The vessel's main helm is installed within an enclosed cabin.</p> <p>ii. The vessel was manufactured prior to 2019 and is not powered by a motor that was factory equipped with an ECOS.</p>	
<p>2. Alternative 2: Status Quo – No change could risk reduction in USCG federal funding to the agency in the future</p>	
<p>Issue Raised by:</p>	<p>Grant Brown (Boating Safety & Registrations Program Manager), Brian Phillips (Flatwater Investigator/ Boating Safety & Education Coordinator), Michael Haskins (Swiftwater Investigator)</p>
<p>Author of the issue paper (if different than person raising the issue):</p>	
<p>CC:</p>	
<p>APPROVED FOR FURTHER CONSIDERATION BY:</p>	<p>Ty Petersburg</p>
<p>REQUIRES NEW SPACE IN THE BROCHURE?</p>	<p>YES</p>
<p>ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?</p>	<p>YES</p>
<p>REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION</p>	<p>Field Services</p>
<p>RECOMMENDED FOR CONSENT AGENDA?</p>	<p>YES</p>

ISSUES SUBMITTAL FORM

Date: 07/03/2025

ISSUE:	Should CPW update its regulations regarding boating fire extinguisher requirements?
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	
<p>Colorado Parks and Wildlife is statutorily responsible for boating safety in the state of Colorado as defined in section 33-13-101: "It is the policy of this state to administer the registration and numbering of vessels in accordance with federal laws pertaining thereto and to promote the safety of persons and property in connection with the use, operation, and equipment of vessels."</p> <p>The US Coast Guard has updated its fire extinguishers standards and now prohibits the use of fire extinguishers that are more than 12 years old. CPW receives grant funding from the US Coast Guard and must tailor its regulations to satisfy US Coast Guard requirements to ensure CPW's ability to continue to receive the maximum amount of federal funding in the future.</p> <p>The change in this regulation is aimed at protecting the boating and unassuming public from vessel fires by helping ensure the required fire extinguisher is operable.</p> <p>For the purposes of this rule, a fire extinguisher older than 12 years from its stamped date does not meet the requirements.</p>	
STATE LAW REQUIRES CPW TO SOLICIT INPUT FROM STAKEHOLDERS THAT MAY BE AFFECTED POSITIVELY OR NEGATIVELY BY THE PROPOSED RULES. THE FOLLOWING STAKEHOLDERS HAVE BEEN ADVISED OF AND INVITED TO PROVIDE INPUT ON THE REGULATORY CHANGES PROPOSED IN THIS ISSUE PAPER:	
IT IS ASSUMED THAT ALL NECESSARY INTERNAL PARTIES HAVE BEEN NOTIFIED.	
CPW contacted Colorado Marine Dealers Association (CMDA) and they had no issue with the proposed regulations.	
ALTERNATIVES: (POSSIBLE OUTCOMES or POSSIBLE REGULATIONS):	
Preferred Alternative: Changing the language of regulation #211 to the following:	
<ol style="list-style-type: none">1. Each item of fire extinguishing equipment required by this section must be Coast Guard approved, be fully charged and in good and serviceable condition, stowed away from the potential hazard area and readily accessible. Dry chemical stored pressure types must be fitted with pressure gauges or indicating devices and vaporizing liquid types containing carbon tetrachloride, chlorobromomethene or other toxic vaporizing liquids are prohibited.<ol style="list-style-type: none">a. Good and Serviceable condition means:<ol style="list-style-type: none">i. If the extinguisher has a pressure gauge reading or indicator it must be in the operable range or position;ii. The lock pin is firmly in place;iii. The discharge nozzle is clean and free of obstruction;iv. The extinguisher does not appear to have been previously used;v. The extinguisher does not show visible signs of significant corrosion or damage; and	

vi. Non-rechargeable fire extinguishers shall be removed from service at the maximum interval of 12 years from the date of manufacture.

2. Extinguishers approved for use on motorboats are hand portable of either B-I or B-II classification. "B" type is for gasoline, oil, and grease fires. "I" and "II" denotes size as listed below:

Classification

Type-Size	Foam(minimum Gallons)	Carbon Dioxide(Minimum Pounds)	Dry Chemical (Minimum Pounds)	Freon (Minimum Pounds)
B-I	1-1/4	4	2	2-1/2
B-II	2-1/2	15	10	

Fire Extinguisher Required

Class	Number and Size
A	1 B-I
1	1 B-I
2	2 B-I or 1 B-II
3	3 B-I or 1 B-II & 1 B-I

3. When the engine compartment is equipped with a fixed extinguishing system of approved type, one less B-I extinguisher is required.
4. Outboard motorboats less than twenty-six feet in length, of open construction, not carrying passengers for hire, are exempt from these requirements, although one B-I fire extinguisher for personal fire protection and to assist other boaters is recommended.
5. The motorboat is not considered "of open construction" if any one or more of the following conditions exist:
 - a. Closed compartment under thwarts (motor well) and seats wherein portable fuel tanks may be stored.

- b. Double bottoms not sealed to the hull or which are not completely filled with flotation material.
- c. Closed living spaces.
- d. Closed stowage compartments in which combustible or flammable materials are stored.
- e. Permanently installed fuel tanks.

2. Alternative 2: Status Quo

Issue Raised by:	Grant Brown (Boating Safety & Registrations Program Manager), Brian Phillips (Flatwater Investigator/ Boating Safety & Education Coordinator), Michael Haskins (Swiftwater Investigator)	
Author of the issue paper (if different than person raising the issue):		
CC:		
APPROVED FOR FURTHER CONSIDERATION BY:	Ty Petersburg	
REQUIRES NEW SPACE IN THE BROCHURE?	YES	
ARE ADEQUATE STAFF AND FUNDING RESOURCES AVAILABLE TO IMPLEMENT?	YES	
REGION, BRANCH, OR SECTION LEADING IMPLEMENTATION	Field Services	
RECOMMENDED FOR CONSENT AGENDA?	YES	