

**SUPPORTING STATEMENT FOR
COAST GUARD BOATING ACCIDENT REPORT FORM
OMB Control No.: 1625-0003
COLLECTION INSTRUMENT(S): CG-3865**

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Title 46 USC 6102(a) requires a uniform marine casualty reporting system, with regulations prescribing casualties to be reported and the manner of reporting. The statute requires a State to compile and submit to the Secretary of Homeland Security (delegated to the U.S. Coast Guard) reports, information, and statistics on casualties reported to the State. Implementing regulations are contained in Title 33, Code of Federal Regulations, Subchapter S - Boating Safety, Part 173 - Vessel Numbering And Casualty And Accident Reporting, Subpart C - Casualty and Accident Reporting, and Part 174 - State Numbering And Casualty Reporting Systems, Subpart C - Casualty Reporting System Requirements, and Subpart D - State reports.

The Federal regulations (33 CFR 173.55) require the operator of any vessel that is numbered or used for recreational purposes to submit an accident report to the State authority when:

- (1) A person dies; or
- (2) A person is injured and requires medical treatment beyond first aid; or
- (3) Damage to the vessel and other property totals \$2,000 or more, or there is a complete loss of the vessel; or
- (4) A person disappears from the vessel under circumstances that indicate death or injury.

The Coast Guard Boating Accident Report form (CG-3865, OMB control number 1625-0003) is the data collection instrument that ensures compliance with the implementing regulations and Title 46 USC 6102(b) that requires the Secretary to collect, analyze and publish reports, information, and statistics on marine casualties.

States are required to forward copies of the reports or electronically transmit accident report data to the Coast Guard within 30 days of their receipt of the report as prescribed by 33 CFR § 174.121 (Forwarding of casualty or accident reports). The accident report data and statistical information obtained from the reports submitted by the State reporting authorities are used by the Coast Guard in the compilation of national recreational boating accident statistics.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Accident data and statistical information received from the current collection are used by the Coast Guard to: establish National Recreational Boating Safety (RBS) Program goals, objectives, strategies and performance measures; report RBS Program performance to Congress in the USCG FY quarterly performance reports; identify possible manufacturer defects in boats or equipment; develop boat manufacturing standards; develop safe boating education and accident prevention programs; and to publish accident statistics in accordance with Title 46 USC 6102. Non-receipt of the data and information from the public would require unnecessary additional investigation by the Coast Guard and communications with the persons who are required to file accident reports in compliance with Title 33 CFR 173.55. Further, many accidents would remain unreported with potential safety hazards going undetected. This would not be in the best interest of the public, State boating authorities or the Coast Guard.

The Coast Guard uses the information collected for four main purposes: regulatory studies, non-regulatory studies, USCG Annual Report publication, and FOIA requests.

Examples of regulatory studies include a study to determine how many deaths and injuries could be prevented had the operator of a vessel worn a wireless lanyard. For this study, the Coast Guard focused on fields to determine the effectiveness of a lanyard including: accident description, primary injury, cause of death, and accident type. An example a non-regulatory study include a focus on out-of-state boating which took into account the accident location and operator's state of residences.

Every year the Coast Guard releases a statistics report on the prior year's accident data. The report presents abstracted data gathered from boating accident reports on four broad topics: causes of accidents, accident types, casualty information, and operator/passenger information.

Information is shared internally in the Coast Guard. The two most frequent requestors of data are the Boating Safety Division and the Office of Program Analysis and Evaluation. Both of these offices request abstracted data, usually the number of accidents, deaths, and injuries during a specific time period. The Boating Safety Division uses this information to assess our progress with the program. The Office of Program Analysis and Evaluation uses this information to fulfill DHS performance measure reporting requirements, often in the form of quarterly reports or forecasts.

There are other offices within the Coast Guard that have requested abstracted data on a number of topics including the number of incidents where flares cause fires on recreational boats, and the number of accidents and casualties by Coast Guard District. These offices generally request data when prompted by a conference, publication, or media spotlight on a subject.

There are also requests from Coast Guard Auxiliarists for abstracted information. Examples of abstracted information include the number of accidents, injuries, and deaths by state. In general, Auxiliarists request information in preparation for a media interview.

The Boating Safety Division shares information with a number of external organizations including the National Association of State Boating Law Administrators, an association of state boating authorities, the National Boating Safety Advisory Committee, the Congressionally-mandated Federal Advisory Committee provides recreational boating related advice and recommendations to the Secretary, Department of Homeland Security, though the Coast Guard.

If the Boating Safety Division receives permission to release data, information can be released in a number of ways depending on the scope of the request. Often times, databases, spreadsheets and documents are emailed. Large files may be transmitted via a file transfer website.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

There are two parts to the collection of data. Federal regulations are set up so that the public reports to the State and the State reports to the Coast Guard. The public can report by mail or email using CG-3685. States report to the Coast Guard using an internet based system called the Boating Accident Report Database (BARD).

BARD supports the Coast Guard's implementation of a uniform vessel accident reporting system as required under Title 46 U.S.C, § 6102. Fully implementing BARD reflects the Coast Guard's commitment to data sharing by enabling local and State law enforcement officers to collect and electronically transfer accident report data to one central location via an Internet connection and a Web browser. BARD is located at <https://bard.knightpoint.systems/bard/> and enables: (1) State/local personnel to input casualty data at the accident scene; and (2) casualty data to be transformed into statistical information that is used to enhance the safety and security of the public using our nation's waterways.

BARD is currently undergoing a recapitalization enabled by the Coast Guard's Case Management Solution acquisition. The entire application will be migrated to a modern cloud-based application, potentially easing the data entry and transfer process by States to the Coast Guard.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

Under the authority of Title 46 U.S.C, the U.S. Coast Guard is the only federal agency that has been delegated the responsibility to collect, analyze, and annually publish statistical information obtained from recreational boat numbering and casualty reporting systems. The accident report data and information captured by accident report forms are electronically submitted from State Boating Law Administrators from States, U.S. Territories and the District of Columbia to the U.S. Coast Guard.

There are some land management agencies such as the National Park Service, U.S. Forest Service and Army Corps of Engineers that have their own accident reporting systems. The Coast Guard works with these agencies to share data.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

There are no small businesses or other small entities involved in the collection of Federal Boating Accident Report forms. Form CG-3865 has been structured to require the minimum amount of information needed to accomplish statutory obligations and is filled out by individuals and/or State and local law enforcement officers.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If the accident data and statistical information is not collected using Coast Guard form CG-3865, the mandated statutory requirement and implementing Federal regulations will not be met resulting in an unacceptable level of risk to the boating public. Thus, national Recreational Boating Safety Program effectiveness would be significantly diminished in our ability to mitigate the risks associated with recreational boating activity.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- Requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;

- In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

The Coast Guard Boating Accident Report form is only filed upon the occurrence of a recreational boating accident that satisfies the Federal reporting requirements contained in Title 33 CFR 173.55.

8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

A 60-day Notice was published in the Federal Register to obtain public comment on this collection (See [USCG-2025-0351]; December 1, 2025, 90 FR 55145) and 30-Day Notice (August 6, 2026 91 FR 5-865) were published in the Federal Register to obtain public comment on this collection. That notice elicited one comment. The commenter outlined changes from a Coast Guard Policy Letter dated 26 September 2023 which were not reflected in the proposed ICR. The Coast Guard intends to revise the ICR to ``make changes to Coast Guard Boating Accident Report form (CG-3865). These revisions include changes

to terminology, clarifications in reporting requirements, and an instructions section from the aforementioned Policy Letter.

The Coast Guard regularly consults with states and territories on the frequency of data collection, policy regarding data collection and data collection elements. There are formal working groups through external stakeholder associations along with Federal-to-state interaction.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There is no offer of monetary or material value for this information collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The system to store information has gone under the review of a Privacy Impact Assessment and is maintained and managed accordingly. Further, under Title 46, U.S.C. § 6102 (b), if a State marine casualty reporting system provides that information derived from casualty reports (except statistical information) may not be publicly disclosed, or otherwise prohibits use by the State or any person in any action or proceeding against a person, the Secretary may use the information provided by the State only in the same way that the State may use the information.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to person's form whom the information is requested, and any steps to be taken to obtain their consent.

There are no sensitive questions in the current information collection.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.
- Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14

There are two burdens associated with this collection of information.

The first burden is on the public to report the accident to the State. The estimated number of respondents from the public is 700 annually, which is based on the number of reports sourced from a boating accident report form, as identified in the Coast Guard's BARD system. Please note that this number is an estimate, as the source of information is not a required data field in the BARD system.

There is an estimated 30-minute burden to a respondent for each report filed for an annual estimated burden of 350 hours.

$700 \text{ reports} * .5 \text{ hours} = 350 \text{ hours}$

The average hourly wage rate is \$27.07, which reflects the average hourly wage of all occupations in the May 2020 edition of the U.S. Bureau of Labor Statistics' National Occupational Employment and Wage Estimates, [https://www.bls.gov/oes/current/oes_nat.htm#\(4\)](https://www.bls.gov/oes/current/oes_nat.htm#(4))

The total annual cost of this data collection on the public therefore is \$9,474.50.

$350 \text{ hours} * \$27.07 \text{ per hour} = \$9,474.50$

The second burden is on the State to report the accident to the Coast Guard using the Coast Guard's BARD system. The estimated number of respondents is 56, which represent the States, District of Columbia, and five territories (American Samoa, Puerto Rico, U.S. Virgin Islands, Guam, and Northern Mariana Islands) that report to the Coast Guard.

The average number of responses per respondent is 90 reports. Please note that the number of responses varies by jurisdiction; in any given year, one jurisdiction could have 500 reports and another could have 0; 90 is an average.

The average burden per response is 2 hours. Please note that this number varies by severity of accident; it is expected that a fatal accident will require more follow-up than an accident that solely involves property damage.

The hourly burden is 10,080 hours.

$56 \text{ respondents} * 90 \text{ reports per respondent} * 2 \text{ hours per response} = 10,080 \text{ hours}$

The average hourly wage rate of a Fish and Game Warden is \$32.69, according to the May 2024 edition of the U.S. Bureau of Labor Statistics' National Occupational Employment and Wage Estimates, [\(4\)](https://www.bls.gov/oes/current/oes_nat.htm#(4))

The total annual cost of this data collection on the State therefore is \$329,515.20.

$10,080 \text{ hours} * \$32.69 \text{ per hour} = \$329,515.20$

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Public	CGHQ-3865	700	1	.50	350	\$27.07	\$9,474.50
State	BARD	56	90	2	10,080	\$32.69	\$329,515.20
Total		5,740			10,430		\$338,989.70

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices.

The cost to the general public to mail a Coast Guard CG-3865 form in 2025 is \$.78. On an annual basis, the approximate cost to the general public to mail 700 forms to the

appropriate State reporting authority as prescribed in Title 33 CFR 173 is \$546.00 (700 * \$.78).

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

The estimated annualized cost to the Federal government to administer and maintain the fully implemented electronic Boating Accident Report Database (BARD) System for the States, five (5) U.S. Territories and the District of Columbia is approximately \$300,000. These costs reflect contracted technical support of the BARD System, involving an applications developer, database administrator, project manager, and helpdesk who perform maintenance of the system and user support for all reporting jurisdictions. It also involves cloud hosting and cybersecurity costs.

The estimated cost for Coast Guard Federal employees to review State responses is \$29,433.60. The calculation is based on the number of responses (5,040), the time taken to review each response (estimation of 7.5 minutes), and the average fully loaded rate of a GS 14, Step 6. for the Washington, DC locality. Other Federal employees and military personnel with varying hours and wages also review State responses, which may vary this estimated cost.

5,040 responses x 0.125 hrs to review each response x \$96.38 fully loaded hourly rate of a GS 14 Step 6 = \$60,719.40

15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.

The methodology for Coast Guard Federal employees to review State responses was changed to reflect a fully burdened/loaded (121% of hourly rate) General Schedule rate versus a generic hourly rate for a Statistician based off Bureau of Labor Statistics calculations.

16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Reports are reviewed on an ongoing basis. Prior to summer, the Coast Guard's annual Recreational Boating Statistics report (COMDTPUB P16754) will be published. The Boating Statistics publication is based on accident reports submitted to State reporting authorities that are entered into the BARD System. COMDTPUB P16754 provides

general descriptive statistics about the causes and conditions of accidents, the types of accidents, operator/passenger information and casualty information.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

N/A. Expiration date for OMB approval will be displayed.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.

USCG does not request an exception to the certification of this information collection.