

MODEL LAW

After concluding that suitable anti-pollution devices were available for installation on recreational watercraft, the Committee requested the Outboard Boating Club of America to prepare a model law dealing with the general subject of pollution from recreational craft. This model law has been extensively reviewed by the Committee and others, and suggested revisions or modifications incorporated into the final draft which is included in this Report as Appendix C. This model law provides for several features that are worthy of individual mention.

To assure that the standards required by such legislation do not vary from state to state, they have been incorporated into the model act as a part thereof. This is most important, for one of the principal justifications of this model act to the Committee has been that adoption thereof nationally would greatly facilitate the mobility of recreational craft. If individual standards could be established by each state, this mobility would be completely destroyed and the purpose of the act entirely negated.

The Committee was also impressed by testimony of manufacturers of anti-pollution devices wherein they pointed out to the Committee that the trend in current legislation was to require a complete laboratory test of every anti-pollution device by its manufacturer before the unit would be accepted by the particular state. In an effort to reduce this expense to the manufacturer, and to avoid duplicate tests of an almost identical nature, the Committee has permitted the manufacturer in the model law to certify in writing on the basis of any test which the manufacturer makes of its unit, whether or not the unit meets the requirements of the model act.

In other respects, the model law has been drafted in such a manner as to assure that it can easily be used without major amendments in any State in the country. This was, of course, done intentionally in hopes that the goal of uniformity in this legislation would be further accommodated.

LITTER

During its investigations, the Committee was impressed with the number of persons who, when discussing pollution from recreational watercraft, were concerned only with the depositing of trash, garbage, and other materials in the water which, perhaps, could be more appropriately termed "litter". Before receiving the results of its questionnaire survey, it was the personal opinion of most of the Committee members that the litter problem was of greater concern than the problem of pollution, and the questionnaire results confirmed this belief.

American ingenuity being what it is, it appears that food and beverage containers are becoming more and more indestructible. Milk cartons, beverage cans and bottles, and other food containers are not only extremely resistant to deterioration through exposure to the elements, but most of them float, resulting in their accumulation on the beaches adjacent to heavily used waterways. Even when the items washed up on the beach are not necessarily dangerous to humans, they offend the senses because they are so foreign to the area. Since they do not appear to naturally waste away and since they are not capable of being eaten by fish, fowl, or wildlife, the only way they can be removed is through human action and such is difficult, if not impossible, when the cost of patrolling the thousands of miles of shoreline of this nation is considered.

This does not mean that recreational boat owners are the primary offenders in this area. There is no question in the Committee's mind that a substantial amount of this litter is being deposited by the crews of commercial vessels plying these waters. Because such crews eat all meals on board and naturally consume a far greater amount of foods per person than is consumed by recreational boat owners who, although greater in numbers, cruise much less and appear to eat on board less frequently, it is apparent that the continued practice of dumping all waste materials over the side into the waters will result in a large accumulation of litter on the beaches.

The litter problem is not easily resolved simply by passing legislation. This is a problem which can only be resolved through a direct attack utilizing all possible means to educate every segment of the public as to the problem and its likely effects if not abated. Appropriate legislation can be helpful, however, to ensure that marinas and public boating facilities provide trash receptacles