



# U. S. COAST GUARD

## INFORMATION SHEET



### ***BOATING UNDER THE INFLUENCE (BUI)***

**ISSUE:** The Coast Guard believes that alcohol involvement in recreational boating accidents is under-reported and remains a significant factor in recreational boating accidents and deaths.

**BACKGROUND:** Although fatalities have continued to show a downward trend, the number of fatal accidents reporting alcohol use as a primary contributing factor has remained constant at 16% of all fatalities. The Coast Guard published a final rule on December 14, 1987 that established behavioral standards of intoxication, chemical standards of intoxication by blood alcohol concentration (BAC) of .10% for recreational vessel operators, and an implied consent provision. On May 11, 2001, the rule revising the Federal BAC standard for recreational vessel operators from .10 to .08% became effective. The rulemaking also adopted any State BAC standard of intoxication that varied from the Federal BAC standard. In 1987, only 21 States defined "intoxication" or "under the influence" by BAC. Today, all 56 State and Territorial jurisdictions have BUI laws, and 33 have adopted a BAC standard for intoxicated operation at .08%.

**DISCUSSION:** The intent of the BUI regulations is to prevent and minimize the possibility that an intoxicated individual will operate a vessel, reduce the threat of harm to self and to others, and to discourage operating a vessel while intoxicated by processing cases under effective civil or criminal procedures.

**Section 46 U.S.C. 13101** encourages uniformity in boating safety efforts, which would foster better cooperation and reciprocity between Federal, State, and local enforcement agencies and help ensure uniform enforcement of laws across all bodies of water, regardless of jurisdiction.

APPROVED: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "B. M. Salerno".

B. M. SALERNO

Rear Admiral, U.S. Coast Guard

JUL 17 2006

DATE: \_\_\_\_\_