

Chapter 352-64 WAC

THE STATE RECREATIONAL BOATING SAFETY FUNDING PROGRAM

WAC

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WAC 352-64-010 What is the purpose of the recreational boating safety funding program? The purpose of this program is to provide funds for recreational boating safety information, education, and law enforcement programs of local and state agencies and private nonprofit organizations. Funding for this program will come from federal and state funds. This chapter establishes the procedures and the conditions related to the use of the funds.

[Statutory Authority: RCW 43.51.400. WSR 98-23-030, § 352-64-010, filed 11/10/98, effective 12/11/98; WSR 85-03-087 (Order 87), § 352-64-010, filed 1/21/85.]

WAC 352-64-020 How are the words and phrases used in this chapter? (1) "Boater" means any person on a recreational vessel on waters of the state of Washington.

(2) "Boating safety council" means the volunteer advisory body created by the commission to advise on matters related to the state boating program, and composed of representatives of Washington's recreational boating community.

(3) "Commission" means the seven-member Washington state parks and recreation commission.

(4) "Director" means the director of the Washington state parks and recreation commission or designee.

(5) "Recreational vessel" means a watercraft manufactured for operation, or operated, primarily for pleasure including watercraft leased, rented, or chartered to another for the latter's pleasure.

(6) "State parks" means the operating arm of the Washington state parks and recreation commission, which is responsible for implementation of commission programs established pursuant to statute or policy.

[Statutory Authority: RCW 43.51.400. WSR 98-23-030, § 352-64-020, filed 11/10/98, effective 12/11/98. Statutory Authority: RCW 43.51.040. WSR 90-04-064, § 352-64-020, filed 2/5/90, effective 3/8/90. Statutory Authority: RCW 43.51.400. WSR 85-03-087 (Order 87), § 352-64-020, filed 1/21/85.]

WAC 352-64-030 What activities are eligible for recreational boating safety program funding? The funds may be used for programs which include planning, development, and operation of programs for recreational boating safety, safety education, and enforcement of boating laws, rules, and

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regulations. Program elements may include: Dissemination of information related to safe boat operation; training of boating safety professionals; purchase of boats and related equipment for boating safety programs; program administration; and the maintenance of a safe boating environment.

[Statutory Authority: RCW 43.51.400. WSR 98-23-030, § 352-64-030, filed 11/10/98, effective 12/11/98. Statutory Authority: RCW 43.51.040. WSR 90-04-064, § 352-64-030, filed 2/5/90, effective 3/8/90. Statutory Authority: RCW 43.51.400. WSR 85-03-087 (Order 87), § 352-64-030, filed 1/21/85.]

WAC 352-64-040 Who is eligible for recreational boating safety program funding? (1) Any state or local public agency or private nonprofit organization is eligible to apply for grants for recreational boating safety information or education programs.

(2) Any state or local public agency having jurisdiction over waters used for recreational boating and possessing the authority to enforce the Revised Code of Washington and the Washington Administrative Code is eligible to apply for grants for programs of enforcement of recreational boating safety laws, rules, and regulations.

[Statutory Authority: RCW 43.51.400. WSR 98-23-030, § 352-64-040, filed 11/10/98, effective 12/11/98. Statutory Authority: RCW 43.51.040. WSR 90-04-064, § 352-64-040, filed 2/5/90, effective 3/8/90. Statutory Authority: RCW 43.51.400. WSR 85-03-087 (Order 87), § 352-64-040, filed 1/21/85.]

WAC 352-64-045 Are there any limitations on the availability and use of the funds? (1) The director may establish limitations on the availability and use of recreational boating safety program funding only after considering the following:

(a) Availability of funds.

(b) Recommendations of the boating safety council and state parks staff on program needs.

(2) The director may determine that applicants be required to make a matching contribution to be eligible for funding.

(3) The director may limit the amount of funding available for any element(s) of a project.

(4) The director may determine that the funds shall not be used to supplant existing contributions and efforts toward safe boating.

[Statutory Authority: RCW 43.51.400. WSR 98-23-030, § 352-64-045, filed 11/10/98, effective 12/11/98.]

WAC 352-64-050 How does one apply for funding? In order to be considered for receipt of recreational boating safety information, education, or law enforcement funding, an eligible applicant must complete and submit an application form provided by state parks following the instructions provided in the form.

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[Statutory Authority: RCW 43.51.400. WSR 98-23-030, § 352-64-050, filed 11/10/98, effective 12/11/98. Statutory Authority: RCW 43.51.040. WSR 90-04-064, § 352-64-050, filed 2/5/90, effective 3/8/90. Statutory Authority: RCW 43.51.400. WSR 85-03-087 (Order 87), § 352-64-050, filed 1/21/85.]

WAC 352-64-060 What criteria will be used to evaluate my application? State parks will review and evaluate applications based on the applicants ability to achieve any or all of the following criteria. Programs which are designed to:

(1) Focus on recreational boating accident and fatality prevention through education and/or enforcement of safe boating laws.

(2) Assist in the training of personnel in recreational boating safety education and law enforcement program areas.

(3) Assist in the development of statewide recreational boater safety education and information programs including the uniform state waterway marking system.

(4) Assist in the development of other programs which promote or enhance safe boating opportunities in Washington state.

[Statutory Authority: RCW 43.51.400. WSR 98-23-030, § 352-64-060, filed 11/10/98, effective 12/11/98. Statutory Authority: RCW 43.51.040. WSR 90-04-064, § 352-64-060, filed 2/5/90, effective 3/8/90. Statutory Authority: RCW 43.51.400. WSR 85-03-087 (Order 87), § 352-64-060, filed 1/21/85.]

WAC 352-64-070 How will projects be selected for funding? (1) Applications will be reviewed by state parks staff and will be evaluated against the criteria in this chapter.

(2) Staff will consult with and consider the recommendations of the boating safety council and will present final recommendations to the director. The director shall make the final decision on funding a project.

(3) No grant expenditures may be made until such approval is received and a contract is signed by the state parks and funding recipient authorized representatives.

(4) Applicants for recreational boating safety program funds whose requests are approved by the director may receive funds (a) on a reimbursement basis after a billing which indicates satisfactory compliance with a contract that has been filed with state parks or (b) through an advance payment upon a written request to and approval by the director.

[Statutory Authority: RCW 43.51.400. WSR 98-23-030, § 352-64-070, filed 11/10/98, effective 12/11/98. Statutory Authority: RCW 43.51.040. WSR 90-04-064, § 352-64-070, filed 2/5/90, effective 3/8/90. Statutory Authority: RCW 43.51.400. WSR 85-03-087 (Order 87), § 352-64-070, filed 1/21/85.]

WAC 352-64-080 What conditions are placed on the use of the funds? The following conditions apply to the use of the funds:

(1) Project contract. For every funded project, a contract must be executed by the director and by the funding recipient's authorized representative.

(2) Matching contribution. Should a matching contribution be required, recipients of boating safety funds shall meet this requirement through program expenditures, in-kind services, and/or volunteer contributions to the program.

(3) Accountability. Recipients of boating safety funds shall maintain accurate accounting records on the expenditure of funds including any matching contribution if such matching contribution is required, provide the director with these records consistent with the agreement or upon request, and permit a state parks representative to audit the use of the

funds in accordance with generally accepted audit practices and standards.

(4) State parks reserves the right to terminate its participation in any program for failure of the funding recipient to perform according to the requirements of the agreement.

(5) Reporting requirements. The funding recipient shall submit reports required by state parks as provided in the project contract.

[Statutory Authority: RCW 43.51.400. WSR 98-23-030, § 352-64-080, filed 11/10/98, effective 12/11/98. Statutory Authority: RCW 43.51.040. WSR 90-04-064, § 352-64-080, filed 2/5/90, effective 3/8/90. Statutory Authority: RCW 43.51.400. WSR 85-03-087 (Order 87), § 352-64-080, filed 1/21/85.]