

## **By-law 8. INCIDENT AND ACCIDENT REPORTING**

(From Constitution Rev 1.10)

**8.1** All accidents or contacts with objects or other unusual events which might affect the operation of a Club boat or require notification to the authorities identified below and/or the Club's insurance company shall be recorded in the boat's log and reported by the Skipper to the Commodore within twenty four (24) hours. And to the Maintenance Chair if there is damage to a Club boat. The Skipper shall submit a Club INCIDENT REPORT to the Commodore within forty eight (48) hours.

**8.2** The Commodore shall forward the Incident Report to the IRC for further investigation and recommendation. The Commodore may immediately declare suspension, or restrictions for thirty (30) days, or until such time as the Board of Directors can have an opportunity to act on the IRC's recommendations.

**8.2.1** All recommendations of the IRC shall be submitted to the Board of Directors and shall be accepted and subsequently implemented, unless an alternate action is proposed and approved by a 2/3's majority of Directors present. If the Board's alternative action is not approved by the 2/3's vote, the IRC's recommendations shall be final and are therefore upheld

**8.3** Accidents and contacts with objects as used in this By-law shall be defined as striking a person, dock, boat, floating object or submerged obstruction, or a navigation aid either fixed or moored. Exceptions to this requirement are contacts with a moored racing buoy, the sides of a Club slip or the sides of the pump-out station, unless such contact shall cause damage to property or a Club boat.

**8.4** Contacts with Boats or Objects not resulting in injury to persons:

Any contact with another boat shall immediately be reported, before proceeding further, to the boat owner if present or available by phone with the name of the boat operator (the person at the helm), address and vessel registration. Provide the reports as follows:

**8.4.1** Damage to all involved and other property exceeds Five Hundred Dollars (\$500.00) or loss of vessel.

- a) To the State of California Department of Parks and Recreation, Division of Boating and Waterways (888) 326-2822 within forty eight (48) hours or
- b) To the Balboa Yacht Basin Manager (949) 673-0360 if contact occurred within the Balboa Yacht Basin, or
- c) To the appropriate Marina Manager if contact occurred in another marina, or
- d) To the Newport Harbormaster (949) 723-1002 if contact occurred outside of the Balboa Yacht Basin, but within Newport Harbor, or

- e) To the appropriate Harbormaster if contact occurred in another harbor, or
- f) To the United States Coast Guard on VHF CH. 16 or (310) 833-1600 if contact occurred at sea.

**8.4.2** Damage to all involved and other property is less than Five Hundred Dollars (\$500.00)

- a) Report to the Marina Manager or Harbormaster as appropriate.

**8.5** Contacts with Persons, Other Boats or Objects Resulting in Injury, Death or Disappearance:

The helmsman shall immediately stop the boat and render assistance to the injured person until rescuers arrive. Stand by and answer all questions that the rescuers shall require. The Skipper shall report the accident without delay to the following law enforcement officials:

- a) To the State of California Department of Parks and Recreation, Division of Boating and Waterways within forty eight (48) hours
- b) To the State within forty eight (48) hours of the accident in the event that disappearance or death occurs within twenty four (24) hours of the accident, or injury that requires medical treatment beyond first aid.
- c) To the United States Coast Guard (USCG) promptly by VHF radio CH 16 if the contact results in damage or harm to a person while at sea.
- d) Provide all other reports as shall be required under this By-law

**8.6** Failure to comply with the reporting requirements herein may be forwarded to the IRC for review and action resulting in disciplinary action.