



June 7, 2018

Ed Carter, Executive Director
Tennessee Wildlife Resources Agency
Ellington Agricultural Center
P.O. Box 40747
Nashville, Tennessee 37204

Subject: Senate Bill 1335 / House Bill 785

Dear Mr. Carter:

Tennessee Marina Owners throughout the state are just now receiving TWRA's memorandum dated June 6, 2018 concerning the passage of Senate Bill 1335. SB 1335/HB 785 sponsored by Senators Bailey and Bowling and Representative Littleton which will cause an immediate negative economic impact on Tennessee's Marina Operators as well as Tennessee's tourism, recreation boating and tax revenue. It is extremely disappointing that Tennessee's Marina Owners were not consulted on this bill nor was an economic impact study conducted on this bill.

Tennessee Marina Owners worked tirelessly in 2005 to speak with reluctant state legislators to help TWRA pass the Mandatory Safe Boating Legislation. TWRA awarded a certificate of appreciation for marina owners' support of Safe Boating Legislation. Because of the 2005 law, Marina Owners who rent boats to tourist and out-of-state visitors conduct a detailed safety orientation and review of TN Boating Laws to all renters and therefore, TWRA and state legislators agreed that an exemption for renters of boats was necessary to protect the state's recreational boating and tourism business, given that most out-of-state visitors would not possess the proper boating certificate when visiting Tennessee.

The 2005 law exempted "renters of watercraft who have completed a safety orientation, which safety orientation shall be available at the rental location." TWRA has not notified Tennessee Marina Operators of any negative result of this law nor has TWRA notified marina operators of any Boating Safety Issues related to the rental of vessels in the State of Tennessee. Therefore, the need to change this law and the secretive manner in which it was changed, without any economic impact considerations by TWRA or the sponsors of SB 1335/HB 785 is extremely disturbing to Tennessee's Marina Operators.

Most disturbing is the fact that TWRA has been aware of and supporting this change in law since January 1, 2018 or earlier and did not notify marina operators until June 6, 2018, less than 30 days before this new law takes effect. Marina Operators do not have time to prepare for this new law nor do the tourists and out-of-state boaters have time to schedule and prepare for a safe boating course. Tennessee Marina Operators' have a very short boating season that is already underway, and many tourist and out-of-state boaters have advance bookings that will have to be cancelled causing a negative economic impact on Tennessee's Marinas and Tennessee's economy.

Tennessee Marina Operators humbly requests that TWRA delay enforcement of this new law until January 1, 2019, giving marina operators time to prepare and time to educate their customers.

336 Lakeview Lane Andersonville, TN 37705

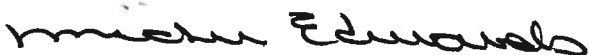
Likewise, Tennessee Marina Owners request that sponsors of this legislation and all Tennessee Legislators insist on conducting and reviewing an economic impact study on how this new legislation will impact recreational boating, tourism, and the state's economy. As a result of this new law, **NO ONE UNDER THE AGE OF 30 YEARS OLD WILL BE ABLE TO RENT A BOAT AT ANY TENNESSEE MARINA WITHOUT POSSESSING A TWRA RECOGNIZED SAFE BOATING CERTIFICATE.**

This new law undermines the premise that thousands of out-of-state visitors pass through Tennessee each year and their desire to rent a boat is thwarted when they are told you must schedule a safe boating course and possess a TWRA recognized certificate. This new law also undermines the fact that Tennessee Marina Owners have been conducting a Safe Boating Orientation and review of Tennessee Boating Laws with every renter of watercraft since the 2005 law went into effect.

Can TWRA verify the need for this new law change through increased accidents, injuries, and/or deaths attributed to renters of vessels in Tennessee? Are boating accidents higher among renters of vessels compared to the general population of boaters? Can TWRA verify the economic impact of tourists and out-of-state boaters under the age of 30 years old being turned away from renting a boat in the State of Tennessee? These are all questions that should have been answered during the legislative process instead of TWRA secretively inserting language into a well-intentioned bill during the last minutes of the 2018 legislative session. New laws that impact Tennessee's tourism and economy should be studied, and impacted industries should be given time and notice to prepare and react. This was not done in this instance and as a result, Tennessee's Marina Owners stand to turn away thousands of dollars of business during the short 2018 recreational boating season, which was already underway when TWRA notified Tennessee Marinas of this new law.

Again, on behalf of Tennessee Marinas throughout Tennessee, TMA humbly requests that TWRA exercise its authority and discretion in enforcing Tennessee's Boating Laws and consider delaying implementation of this new law until January 1, 2019, giving marina owners the same confidence and trust that TWRA placed in our mutual relationship in 2005 to exercise a Safe Boating Orientation to every renter of watercraft. As copy holders of this correspondence, we also call on all Tennessee Senators and Representatives to request that an economic impact study be conducted and reviewed on this issue, as should have been done prior to passing this new law that will impact thousands of recreational boaters and spoil many opportunities for out-of-state visitors to enjoy Tennessee's Waterways this summer.

Very Humbly Submitted:



Michele Edwards, Executive Director
Tennessee Marina Association

Copy To:

Governor Bill Haslam
All Tennessee Senators and Representatives
Kevin Triplett, Tennessee Tourism Commissioner
Dustin Goforth: TMA Legislative Representative