

Office of Regulatory Management
Economic Review Form

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| Agency name | Board of Wildlife Resources |
| Virginia Administrative Code (VAC) Chapter citation(s) | 4 VAC 15-390 |
| VAC Chapter title(s) | Watercraft: Safe and Reasonable Operation of Vessels |
| Action title | Incorporation of Inland Navigation Rules |
| Date this document prepared | April 17, 2023 |
| Regulatory Stage (including Issuance of Guidance Documents) | Exempt Proposed |

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

| | | |
|---|--|---------------------------------------|
| <p>(1) Direct & Indirect Costs & Benefits (Monetized)</p> | <p>Direct Costs: This proposal is not anticipated to have any associated direct costs.</p> <p>Indirect Costs: This proposal is not anticipated to have any associated indirect costs.</p> <p>Direct Benefits: This proposal is not anticipated to have any associated direct benefits.</p> <p>Indirect Benefits: This proposal is not anticipated to have any associated indirect benefits.</p> | |
| <p>(2) Present Monetized Values</p> | <p>Direct & Indirect Costs</p> | <p>Direct & Indirect Benefits</p> |
| | <p>(a) None</p> | <p>(b) None</p> |
| <p>(3) Net Monetized Benefit</p> | <p>None</p> | |
| <p>(4) Other Costs & Benefits (Non-Monetized)</p> | <p>Reference to the federal Code of Federal Regulations for boating safety regulations instead of maintaining substantively identical state regulations that may, at times, use different wording can help reduce confusion to the boating public and any losses resulting therefrom. In addition, specifying that the right of way for law enforcement and emergency vessels applies to all such vessels displaying lights of any color provides extra safety protection for emergency vessels with no cost to boaters.</p> | |
| <p>(5) Information Sources</p> | <p>DWR law enforcement and boating division information.</p> | |

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

| | | |
|---|--|--|
| <p>(1) Direct & Indirect Costs & Benefits (Monetized)</p> | <p>Direct Costs: The status quo is not anticipated to have any associated direct costs.</p> <p>Indirect Costs: The status quo is not anticipated to have any associated indirect costs.</p> <p>Direct Benefits: The status quo is not anticipated to have any associated direct benefits.</p> <p>Indirect Benefits: The status quo is not anticipate to have any associated indirect benefits.</p> | |
|---|--|--|

| | | |
|--|---|----------------------------|
| (2) Present Monetized Values | Direct & Indirect Costs | Direct & Indirect Benefits |
| | (a) None | (b) None |
| (3) Net Monetized Benefit | None | |
| (4) Other Costs & Benefits (Non-Monetized) | The status quo would maintain a separate set of state regulations for boating safety, which are intended to match the federal Code of Federal Regulations. This, however, leaves the boating public with two sets of regulations to operate under, and any differences in wording can cause confusion (even if no difference of substance is intended). Secondly, law enforcement and emergency vessels can use lights other than blue or red, and not affording those LE or emergency vessels using other lights the same right of way and slackened speed protections that other vessels enjoy poses risks to emergency response personnel and any boaters that they are providing services to. | |
| (5) Information Sources | DWR law enforcement and boating division information. | |

Table 1c: Costs and Benefits under Alternative Approach(es)

| | | |
|--|--|----------------------------|
| (1) Direct & Indirect Costs & Benefits (Monetized) | Direct Costs: There are no alternatives to be reasonably considered other than the proposal or the status quo (boating safety regulations must meet federal standards to be approved by the US Coast Guard, and therefore there must either be state regulations or incorporation by reference of federal regulations. As to allowing alternative light colors for emergency vessels, the available options are simply to recognize such light colors, or maintain the status quo). Indirect Costs: N/A Direct Benefits: N/A Indirect Benefits: N/A | |
| (2) Present Monetized Values | Direct & Indirect Costs | Direct & Indirect Benefits |
| | (a) N/A | (b) N/A |
| (3) Net Monetized Benefit | N/A | |

| | |
|--|---|
| (4) Other Costs & Benefits (Non-Monetized) | N/A |
| (5) Information Sources | DWR law enforcement and boating division information. |

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

| | | |
|--|---|----------------------------|
| (1) Direct & Indirect Costs & Benefits (Monetized) | <p>Direct Costs: No section included in this proposal is anticipated to have any impact on local partners.</p> <p>Indirect Costs: No section included in this proposal is anticipated to have any impact on local partners.</p> <p>Direct Benefits: No section included in this proposal is anticipated to have any impact on local partners.</p> <p>Indirect Benefits: No section included in this proposal is anticipated to have any impact on local partners.</p> | |
| (2) Present Monetized Values | Direct & Indirect Costs | Direct & Indirect Benefits |
| | (a) N/A | (b) N/A |
| (3) Other Costs & Benefits (Non-Monetized) | Local law enforcement and emergency services do, in some cases, have a presence on the water, and the extension of the right of way and slacken speed requirements to situations where their vessels are operating using other public safety lights will promote safety of responding personnel. | |
| (4) Assistance | N/A | |
| (5) Information Sources | DWR law enforcement and boating division information. | |

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

| | | |
|--|---|----------------------------|
| (1) Direct & Indirect Costs & Benefits (Monetized) | <p>Direct Costs: No section included in this proposal is anticipated to have any impact on families.</p> <p>Indirect Costs: No section included in this proposal is anticipated to have any impact on families.</p> <p>Direct Benefits: No section included in this proposal is anticipated to have any impact on families.</p> <p>Indirect Benefits: No section included in this proposal is anticipated to have any impact on families.</p> | |
| (2) Present Monetized Values | Direct & Indirect Costs | Direct & Indirect Benefits |
| | (a) N/A | (b) N/A |
| (3) Other Costs & Benefits (Non-Monetized) | N/A | |
| (4) Information Sources | DWR law enforcement and boating division information. | |

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

| | | |
|--|--|--|
| (1) Direct & Indirect Costs & Benefits (Monetized) | <p>Direct Costs: This proposal is not anticipated to have any associated direct costs for small businesses.</p> <p>Indirect Costs: This proposal is not anticipated to have any associated indirect costs for small businesses.</p> <p>Direct Benefits: This proposal is not anticipated to have any associated direct benefit for small businesses.</p> <p>Indirect Benefits: This proposal is not anticipated to have any associated indirect benefits for small businesses.</p> | |
|--|--|--|

| | | |
|--|---|----------------------------|
| (2) Present Monetized Values | Direct & Indirect Costs | Direct & Indirect Benefits |
| | (a) N/A | (b) N/A |
| (3) Other Costs & Benefits (Non-Monetized) | N/A | |
| (4) Alternatives | N/A | |
| (5) Information Sources | DWR law enforcement and boating division information. | |

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

| VAC Section(s) Involved | Initial Count | Additions | Subtractions | Net Change |
|------------------------------------|----------------------|------------------|---------------------|--------------------------------------|
| 4VAC15-390-10 | 0 | 1 | 0 | 1 (incorporation by reference added) |
| 4VAC15-390-11 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-20 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-30 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-40 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-50 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-60 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-70 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-80 | 2 | 1 | 0 | 1 |
| 4VAC15-390-90 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-100 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-110 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-120 | | 0 | 1 | -1 (regulatory section repealed) |
| 4VAC15-390-130 | | 0 | 1 | -1 (regulatory section repealed) |

Cost Reductions or Increases (if applicable)

| VAC Section(s) Involved | Description of Regulatory Requirement | Initial Cost | New Cost | Overall Cost Savings/Increases |
|------------------------------------|--|---------------------|-----------------|---|
| N/A | N/A | N/A | N/A | N/A |

Other Decreases or Increases in Regulatory Stringency (if applicable)

| VAC Section(s) Involved | Description of Regulatory Change | Overview of How It Reduces or Increases Regulatory Burden |
|--------------------------------|---|---|
| 4VAC15-390-80 | Adds public safety lights of any color to the list of lights that law enforcement or public safety vessels may use and receive the benefit of a requirement that other vessels yield the right of way and slacken speed in the area in which they are displaying such emergency lights. | The proposal would benefit the safety of law enforcement and emergency services personnel responding to and providing services at emergency scenes with no burden upon the boating public other than a requirement that they yield the emergency vessels the right of way and slacken speed when approaching within 200 feet of them. |

Length of Guidance Documents (only applicable if guidance document is being revised)

| Title of Guidance Document | Original Length | New Length | Net Change in Length |
|-----------------------------------|------------------------|-------------------|-----------------------------|
| N/A | | | |
| | | | |