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Exempt Action: Final Regulation Agency Background Document

Agency name	DWR
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC15-410
VAC Chapter title(s)	Watercraft: Boating Safety Education
Action title	2025 Amendments to Boating Regulations
Final agency action date	5/22/2025
Date this document prepared	7/1/2025

This information is required for executive branch review pursuant to Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

Section 30:

Regulation requiring phasing-in of boater education certification completion will be repealed.

Section 40:

Amendment clarifies the minimum standards for boating safety education course competency as well as removes outdated or obsolete references to CD-ROM course delivery.

Section 50:

Repeals section A as not necessary and amends section B to clarify that all boating courses offered by providers shall meet certain provisions.

Section 70:

Amend to combine section 80 into this section and reduce redundant language found in sections regarding course certificates and student records.

Section 80:

Repeal this section and incorporate necessary pieces into section 70.

Section 90:

Amend section on Instructor Certification to simplify section and eliminate redundant language in regulation, resulting in a net 2 reduction.

Section 100:

Repeals section B regarding the specific requirements of an open-book test. This can be managed through instruction and is not needed in regulation.

Section 110:

Amendments eliminate redundant language in regulation that is already included in definition of equivalency exam. Repeal to section C as this re-iterates what is already in the definitions.

Section 130:

Amends section A to include one sentence from section B, section B will be repealed since no longer needed. Simplification of regulation.

Section 140:

Amends section B to eliminate unnecessary specifications on the contents of an application or the documentation required. Repeals section D as that is no longer the process for obtaining a replacement card.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in the ORM procedures, "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Section 30:

The provision for boaters to have taken a boating safety course is now complete, with all phase-in age classes having passed the necessary date of completion. This section is no longer needed and is to be repealed.

Section 40:

This is an attempt to better explain testing requirements as well as modernize the regulatory language to remove outdated references to obsolete technologies.

Section 50:

Repealing section A as part of 2025 deregulation efforts since it is not necessary. Section B is a clarification to avoid confusion on which boating course providers shall meet criteria for certification (all).

Section 70:

2025 deregulation efforts saw an opportunity to eliminate 6 mandates from section 80 to reduce regulatory burden and simplify the process of recording student records between sections 70 and 80 by combining into one.

Section 80:

2025 deregulation efforts saw an opportunity to eliminate 6 mandates here to reduce regulatory burden and simplify the process of recording student records between sections 70 and 80 by combining into one. Total effort yielded a net reduction of 2 mandates (Section 70: +4 net, Section 80: -6 net)

Section 90:

2025 deregulation efforts saw an opportunity to eliminate 2 mandates here by not requiring information that we would otherwise come by when an applicant submits an application to us, lessening regulatory burden and clutter on constituents.

Section 100:

2025 deregulation efforts saw an opportunity to eliminate 2 mandates here by not mandating in regulation the requirements for taking and passing test that can be administratively managed.

Section 110:

While not deregulatory and not producing any mandate reductions, the 2025 reg cycle offered an opportunity to streamline and declutter this regulation.

Section 130:

Same as section 110 note above – streamlining of regulation.

Section 140:

2025 deregulation efforts saw an opportunity to eliminate 2 mandates here by removing unnecessary application requirements and obsolete processes.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has “adopted final amendments” to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, “On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)].”

On May 22, 2025, the Board of Wildlife Resources adopted final regulation amendments to Chapter 4VAC15-410, titled Watercraft: Boating Safety Education.