



# EXCHANGE

## NEWSNOTES & TRENDS

Though over a million boats were sold in 2010, that's a decrease of 4% from the previous year. New boat sales took the biggest hit with 10% less sales, while sales of sterndrive boats under 26 feet actually grew a tiny amount from 2009 to 2010. An NMMA report also noted that each boater spent an average of \$147 last year on aftermarket accessories for their boat. Florida is where the most boats were sold. Counting boats, motors, trailers and accessories, over a billion dollars were spent in the Sunshine state. The rest of the top five states are: Texas, \$812 million; New York, \$401 million; North Carolina, \$361 million; and Louisiana, \$360 million. Total expenditures for the industry are about \$30 billion according to the NMMA.

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A lot of surveyors and others in the industry remember TBTF (tin) bottom paints that were banned years ago. Copper has since become the standard but it too has come under fire and may be facing extinction. The Washington state legislature recently passed a law banning copper in bottom paint. Under the law, no new boats with copper-based bottom paint can be sold in the state after Jan. 1, 2018, and no paint with more than 0.5 percent copper can be used on recreational boats as of 2020. The law applies only to recre-

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**Want to Be More Effective  
in Court?**

**Expert Advice from Two  
Highly Regarded Maritime  
Attorneys, pages 3 & 9.**

## Pitfalls Of Boat Titling and Salvaged Boats

*By Caroline Ajootian*

The hurricane season brings with it plenty of predictable risks: boats damaged, sunk, driven far inshore on flood surges, marinas devastated and docks demolished. Unforeseen problems, however, can persist long after the storm debris has been cleared and the weather returns to "normal."

Following every active hurricane season, when hundreds of boats are damaged, people are scammed into buying a salvaged vessel that has been spiffed up to look good as new.

This scenario points to a disturbing dilemma. Unlike automobile titling laws, which are consistent in all 50 states, boat registration laws are a patchwork of different requirements and regulations across the U.S. While all states require that boats be registered, the laws aren't consistent. On top of this, powered vessels are required to be titled in only 32 states, so thieves or anyone else wishing to obscure a boat's history need only cross state lines to avoid detection.

Water stains in interior spaces and impact damage craftily body-puttied over are just a few of the signs that a boat has seen hard times, but surveyors and marine insurance adjusters can be hard-pressed to determine under exactly what circumstances the damage happened.

For example, a Bremerton, Washington, man thought he found the boat of his dreams when he spotted a 1997 24-foot Sea-Sport fishing boat listed online by a dealer in Port Clinton, Ohio.

The price was right and the surveyor recommended by the dealer and hired by the buyer gave the boat a more or less clean bill of health, noting that, although

he found some elevated moisture levels in the deck, frames and transom, these structures appeared sound. The survey report recommended only minor repairs and cosmetic work. When a mechanic's inspection showed problems with the starboard engine, the dealer agreed to drop the price by \$7,500 to \$35,000.

What could go wrong, the buyer thought? He traveled to Port Clinton in September 2004 for the sea trial and later arranged to have the boat shipped to the West Coast.

Fast-forward a few months to spring. The new owner recalls, "With the boat ready to go, I took it out for the first time. The only major discrepancy I noticed was the starboard gunwale had excessive vibration."

He was in for a surprise when he cleaned the boat afterwards. "I noticed that repairs had been completed on the starboard gunwale, keel and bow flair and there was water seepage on the starboard chine." In retrospect, he recalled that the dealer's online ad showed photos taken from the boat's port side only.

The owner decided to have the boat surveyed again, but this time by a local surveyor who found the boat's condition made it unsafe to use and wrote in his report, "This vessel was subjected to an excessive trauma, which caused serious damage to the starboard hull bottom, starboard topsides, starboard deck, starboard cabin top, helm, controls and wiring."

The situation, already strange, took another twist. The marina in Bellingham, Washington, where the vessel was berthed just happened to be the dealership that sold

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# ON WATCH

## Stay Alert to Possible Hazards on Boats and Equipment

*The information from the Technical Input cards you submit is collated, reviewed, and published in the "On Watch" column.*

*If one of your surveys supports a previous On Watch report, make sure that you also report it. Conversely, if your survey fails to substantiate a previous On Watch report, send your observations to the Exchange. This will help readers determine whether the alleged defect is an isolated incident or a widespread problem. The Exchange will follow up with any subsequent reports.*

**BENETEAU YACHTS, 43', 2004.** A fire started in the vessel's electrical panel. It appears that the 120VAC shore power wire that runs from the shore power inlet to the main breaker on the panel shorted. Based upon the angle of the hot wire, it appears that it could have been rubbing and chafing the insulation on the neutral wire, which eventually caused arcing, heat and fire. The owner said that the wiring had not been altered since the boat was purchased in 2005, and that he has not had any electrical work done. There was a recall for a similar problem on this boat (recall #030062T) related to Blue Sea Systems circuit breakers, which also can cause a fire. However, the cause of those fires is due to the breaker can being manually held closed even after tripping and is not related to chafed wires.

*A spokesman for Beneteau said he had not heard of that problem and speculated that despite the owner's claims, the wiring could have been altered or even moved just enough to cause the chafe when equipment was installed or for an inspection.*

**GEMINI CATAMARANS/DOMETIC REFRIGERATORS, SEVERAL YEARS.** Many Gemini catamarans were equipped with propane/12V Dometic refrigerators. Dometic issued a recall for some refrigerators that have a defective weld. These refrigerators may develop fatigue cracks on the boiler tube of the cooling unit, which will allow hydrogen and ammonia to leak out. If this mixture contacts a source of heat such as an open flame, spark, or heating element, a fire may occur.

The recall requires a repair kit that can be used to add a secondary enclosure around the burner. Also included in the repair kit is a thermal disk and heat sensitive fuse. These devices are installed near the burner and boiler tube. Twelve-volt power is routed through them to the lower control board. In the event of a fire, one or both of these devices will open, stopping the flow of power to the lower control board. If the gas valve is open it will automatically shut. The original recall included some two-door refrigerators manufactured between April 1997 and May 2003, however there is an expansion of this recall that now includes the same model refrigerators that were manufactured between June 2003 and September 2006.

**GREW BOATS, 194, 19', 2001.** Vessel was found with wet engine bed stringers. Metal brackets were rusting due to moisture from the stringers. Also the plywood next to the fuel tank showed evidence of high moisture. The owner stated that the boat was not kept in the water and only used for short day trips and that there was never any standing water in the bilge. The engine area is completely carpeted making it difficult to determine the extent of the problem.

*The manufacturer is no longer in business.*

**SMITH CRAFT BOATS, 20', 2000.** Vessel is equipped with a poly tank under the cockpit. Over winter, the tank expanded, cracking the gel-coat on the cockpit and pulling out screws for the seat. The owner had completely filled the tank before storing the boat for winter. The tank manufacturer could not be determined, since there was abrasion on the label. The top of the tank, which was supposed to be flat, was rounded and pushed up about three inches. It appeared that where the tank contacted the underside of the cockpit, there was chafe on the tank, which could lead to a leak.

*The manufacturer is no longer in business.*

**MERIDIAN YACHTS, 341, 34', 2003.** There is no access to fuel fittings, contrary to ABYC H-24.14.1: "Each fuel system fitting, joint, and connection must be arranged so that it can be reached

for inspection, removal, or maintenance without removal of permanent boat structure." A technician working on this boat stated that he had to cut away cabinetry and remove appliances to replace the fuel fill hose, which took many hours of labor.

*Mark Weiss, customer service representative for Meridian, said that it is possible to replace the hoses on the 341 without removing the cabinetry. He suggested shops that are having a hard time accessing hoses should call Meridian for guidance.*

**MERIDIAN YACHTS, 341 and 381, 34-38', 2003 and later.** In the October, 2005 issue of *Exchange*, we reported that several owners mentioned that the boat's carbon monoxide detectors frequently sounded while underway. At the time, Mark Weiss, a customer service representative at US Marine, parent company of Meridian, said the only issues they'd had with CO detectors sounding is when the battery drops below 12 volts. He also said there were reports of the "station wagon" effect on the 580 model until the exhaust was routed underwater and that a design change for the 2006 391 (the 381 will be discontinued) also routes the exhaust underwater.

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Vol. 27 No. 3

July 2011

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# Marine Survey Reports in Litigation: Anything You Write Can and Will be Used Against You

By David J. Farrell, Jr.

Here's a Miranda Warning for marine surveyors: Anything you write can and will be used against you in a court of law.

I wrote that 15 years ago in *Exchange* and it still holds true today. But in 2010 there was a federal law amendment, which surveyors should know about. In federal court cases, Federal Civil Procedure Rule 26(b)(4) now protects from discovery an expert's draft reports preliminary to the final version when prepared in conjunction with an attorney. The reason for this change is "to protect counsel's work product and ensure that lawyers may interact with retained experts without fear of exposing those communications to searching discovery" by opposing counsel. So, for example, it is now safe for a defense attorney to share "work product" with the insured's expert in building the case without fear that legal strategies will be discovered via the expert's file.

## Let's look at three time-tested corollaries:

**Corollary #1:** When a claim looks like it's headed for litigation, hold off issuing a written report as long as possible, regard-

**"When a claim looks like it's headed for litigation, hold off issuing a written report as long as possible, regardless of whether you end up in state or federal court."**

less of whether you end up in state or federal court. If you will be testifying as an expert witness, your formal, written report will be critical evidence and you will be cross-examined on it during deposition and at trial.

If you are in state court, anything you wrote before your final report is probably discoverable by the other side too. And if what you wrote earlier was based on incomplete or incorrect information, opposing counsel will question your investigation and discredit your conclusions on cross-examination. So if you do issue a preliminary report to be supplemented on review of additional information, *put that in writing*. Sometimes the attorney you are working with will tell you not to issue anything in writing. If you are in state court, the chances are you will be under no obligation to put your thoughts down on paper. Instead, the attorney will prepare interrogatory answers that identify you as an expert witness and state "the subject matter on which the expert is expected to testify,...the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion." See, e.g., Massachusetts Civil Procedure Rule 26(b)(4)(A)(i).

In contrast to state court, an expert witness in federal court must provide the

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## ON WATCH, from page 2

*Meridian has now issued a service campaign (2011-03) for 2005-2009 341NSB sedans equipped w/6.2L engines. The bulletin says, "under certain atmospheric and operational conditions, Meridian determined that higher-than-desired concentrations of exhaust emissions may exist in the transom seating areas." Meridian says the issue is that some boats cannot meet certain performance criteria such as WOT, which causes much higher levels of CO to be found in aft seating areas. The company says that some boats are not able to get on plane and instead tend to plow, forcing the engines to work much harder. The solution, according to Meridian, is to change the propellers and make some minor hull changes that will allow the engines to*

*achieve performance targets.*

*Despite the earlier conversations with the Exchange, the bulletin states that Meridian has undertaken this campaign solely after their quality control testing identified the potential for elevated exhaust emissions under certain conditions. Meridian says that repairs will be done at no cost to owners.*

PURSUIT BOATS, 3000 EXPRESS, 30', 1999. Vessel is equipped with dripless shaft seals. Owner discovered seals beginning to leak and planned to change the shaft seals. When he removed the hose that carries the seal carrier, he found that the bronze shaft log was severely corroded. Removing the log in order to replace it was made more difficult because it had been bedded with 5200.

*Bill Edey, a customer service represen-*



*tative for Pursuit, said that shaft seals should be inspected frequently for leaks and the clamps should be replaced every few years. He said he had never seen a corroded bronze shaft log and that bronze is the correct material for the application. He wondered if the boat may have been exposed to stray current or if some other external factor contributed to the corrosion. □*

other parties with a written report prepared and signed by the expert. The “report must contain (i) a complete statement of all opinions the witness will express and the basis and reasons for them; (ii) the facts or data considered by the witness in forming them; (iii) any exhibits that will be used to summarize or support them; (iv) the witness’s qualifications, including a list of all publications authored in the previous 10 years; (v) a list of all other cases in which, during the previous four years, the witness testified as an expert at trial or by deposition; and (vi) a statement of the compensation to be paid for the study and testimony in the case.” Federal Civil Procedure Rule 26(a)(2)(B).

Whether you find yourself in state or federal court, the best way to serve your client is to get a full grasp of the entire case before you tell the other side what you think. Talk freely with your client and attorney by telephone, and also with the adjuster if you were appointed by an insurance company, exchanging information and theories with them. Assess newly discovered information from the other side as the case evolves, fitting it into your overall concept while fine-tuning your approach. And wait until you know as much as you possibly can before casting your opinion in stone.

**Corollary #2:** Know the legal standard (i.e., requisite strength) for your opinion before formulating it.

In general, lay witnesses cannot testify regarding their opinions—only expert witnesses can. But 100% certainty as to your opinion is unnecessary. Typically, all you need is “reasonable certainty as a marine surveyor.” So avoid using words like “always” or “never” or “complete con-

## “Sloppy writing suggests sloppy surveying, so wordsmith your report.”

fidence” or “absolutely impossible” since anything is possible. Your confidence level is only required to be *more likely than not* or in other words, slightly greater than 50%. Given that you will be testifying truthfully, if you as a marine professional are reasonably sure of your conclusion, that’s all anyone can ask of a mere mortal. And the court won’t ask for anything more either. The test for admissibility boils down to whether your opinion can help the fact finder: “If scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or otherwise;” Federal Rule of Evidence 702.

Here’s a good example of a reasonably certain opinion succinctly stated in a New England surveyor’s report: “Based on the above, we are of the opinion that the failure of the unit is consistent with an external source of wetting such as an exhaust leak and it is unrelated to any repairs made by [the repair yard].” In contrast, the following Great Lakes surveyor’s statement confusingly juxtaposes less than 50% uncertainty with more than 50% certainty. Cancelling each other out, the result is a wishy-washy inadmissible opinion: “We suspect damage to the bow rail was most

*likely caused by the towing service.”*

**Corollary #3:** Sloppy writing suggests sloppy surveying, so wordsmith your report.

In reciting the facts of a questionable claim, avoid language suggesting liability. Instead, carefully choose words conveying your doubts: “Apparently the incident happened at 0230; the guest claims she slipped and fell on deck; despite poor lighting, her husband purportedly saw her midair; however, your insured heard nothing; in conclusion, it is unclear what caused the alleged slip and fall.”

Shipwrecks inspire novels. The general public loves to hear what we do. Edit with your word processor to grab the interest of your audience—ultimately the judge and jury. Expect that whatever you write will end up in court. So write your observations in the active voice, staying away from these passive and boring descriptions from a Midwest survey: “Inspection of the running gear gave evidence that the rudders were bent to port with the port side showing the most severe damage; also sighted to the starboard side of the vessel were punctures and cracks noted forward of the midship area and forward bow area.” If Mark Twain had written like that, no one would know Tom and Huck rafted the Mississippi.

Since ours is a litigious world, what we say and write can easily end up in the courtroom. I am reasonably certain you’ll have smoother sailing professionally if you keep that in mind.

*David J. Farrell, Jr. is an Admiralty Attorney on Cape Cod and Membership Secretary of The Maritime Law Association of the United States. He can be reached at Farrell@sealaw.org. □*



### “ON WATCH” TECHNICAL INPUT CARD

Use this form to add to your EXCHANGE data bank. Items submitted to “On Watch” should be observations that you have substantiated in your own files. Problems should be attributable to substandard design or workmanship.

<b>MANUFACTURER:</b>	<b>MODEL YEAR(S):</b>	<b>SIZE:</b>	<b>MODEL(S):</b>
<b>HAZARD:</b> (sinking, fire, injury, etc.)			<b>HIN:</b>
<b>DESCRIPTION OF PROBLEM:</b>			
_____			
_____			
_____			
_____			
<b>YOUR NAME:</b>	<b>PHONE:</b>	<b>DATE:</b>	

# The International Association of Marine Investigators

“ I A M I N E W S ”

N E W S L E T T E R

## A Message from the President



Greetings from your President,

Let me start by saying how proud I am of the work this organization has been accomplishing worldwide to combat marine theft. The cornerstone of IAMI's success has been our training programs, including regional training programs like the one held recently in Erie, Pennsylvania. A well deserved thank you goes to everyone involved. These programs boost IAMI membership by reaching a lot of local marine investigators who would otherwise not have been able to attend an IAMI program. In order to continue this very important effort, IAMI members from various regions need to step forward and volunteer their time and resources to act as hosts. Please contact IAMI's Regional Training Director, Eric Lundin, at [Eric.Lundin@ct.gov](mailto:Eric.Lundin@ct.gov) to find out what's involved and how you can volunteer.

Another important IAMI effort involves updating our website, [iamimaine.org](http://iamimaine.org), to make it even more user friendly and informative. This is a huge effort that we hope will be completed in the next four to five months. If you use the website (and you should), you probably have some opinions that should be shared with someone on the IAMI Board. You're the end user and your opinion is very important.

Speaking of important programs, we are looking forward to this year's annual seminars in Croatia and San Diego, California. The IAMI Board of Directors and the European Steering Committee are all strongly committed to making sure this year's programs are as interesting and effective as our members have come to expect. This takes a lot of hard work. If you have any ideas, requests or suggestions regarding the upcoming seminars, please contact any member of the board. Note that there have now been 22 Annual Training Seminars in the US, most of which have been in the south. In Europe we have now had 13 annual training seminars and we have tried to alternate between northern and southern countries. Would that approach also be effective in the US? Let us know where you think we should arrange future training seminars. Send your ideas to [iamimarine@aol.com](mailto:iamimarine@aol.com).

Here in the northern hemisphere, we have just come into the summer months (winter for you down under) and are looking forward to a new boating season. This is the time of year when boat theft and fraud increases. This means that all of us are looking forward to new challenges and new experiences.

Sincerely

A handwritten signature in black ink, appearing to read 'Martin Aberg', is written over a light gray rectangular background.

Martin Aberg  
President

# News from the Directors

**1st Vice President J. A. Pragman:** The IAMI Board has agreed to take on the services of Joan Junker, a marketing and grant specialist whose first task will be to revamp the IAMI website. The Board is anticipating that the changes will be in place in mid to late July. In other news, Kyle Sturm changed law firms and has resigned as IAMI's legal advisor and is being replaced by Jason Harris from Welch and Harris. Mr. Harris has a background in Admiralty Law and was one of the instructors at the 21st Annual Conference in Chattanooga. Mr. Harris's first task will be to trademark the IAMI logo. Welcome aboard Joan and Jason.

I would like to thank David Kacprowicz, Eric Lundin, Earl Joiner and all of the instructors, for putting together the Regional Training Seminar in Erie, Pennsylvania this June. There were 16 attendees and we signed up one new member.

I am gearing up to attend IAATT's 59th Annual Training Seminar August 14 - 19, 2011 in Atlantic City.

Please mark your calendar for IAMI's 22nd Annual conference February 19 - 22, 2012 in San Diego, California at the Bahia Resort Hotel. The room rate is \$109 a night; reservations can be made by calling 800-576-4229. The 22nd Annual Conference will be hosted by Todd Schwede, Todd & Associates Inc.

**From Shelley Lair, 2nd Vice President:** The IAMI Board has been actively working on some important projects for this year, including standardizing our core training to make it easier to offer our classes for both POST credits and CE credits. A big thank you goes to Mike Cortese for his help on this project. There is significant work yet to be completed, but we have been making good progress.

As courses are standardized, we submit them for CE credits. Submissions have already been made in North Carolina and Oklahoma. Kerry McCook is assisting in getting IAMI provider status in more states; next up are Texas and Florida.

IAMI's website is being improved to make it easier for members to navigate as well as assist anyone looking to become a member or sponsor events. The planned revisions include a "members only" secured site. We are also in the process of working with a third party marketing and fundraiser specialist to assist us in raising funds to support our membership.

The Board is looking to automate our training seminar process (getting rid of the clunky "sign in" sheets). I want to thank Matt Kacprowicz for his help in researching both software and hardware options for this upgrade. Additional discussion on the topic will take place at the mid-year meeting.

As you are aware, the bigger the boat the harder it is to change course. So we appreciate your patience during this time of growth. We are always looking for suggestions and feedback; feel free to e-mail me at: Shelley\_Lair@progressive.com.

**Simon Lofting, International Director:** I have been working on two goals. The first is to organize the 14th Annual European IAMI Conference, which is being held October 19 - 20, 2011 in stunningly beautiful Croatia. Both days of the Conference will be packed with classes and meetings that members requested on the 2010 feedback forms. We are looking for more sponsors and vendors; please contact me as soon as possible if you're interested. We have interest from several different Navies from around the world as well as from NCIS. Our official sponsor, Datatag, has helped produce a fantastic Electronic magazine soon to be published for the first time to all IAMI Members. We intend to send this magazine quarterly, so please send me any stories you want published.

My second goal is to boost IAMI's membership. I am happy to say that we have our first Turkish member, which closes the corridor on crime routes for us in Europe. The new Turkish recruit and I met with the Commander of the Coast Guard in Marmaris, Turkey to introduce him to IAMI and tell him about our Annual Conference. The IAMI brochure has now been converted into Turkish and is currently with the Commander of Turkish Coast guard in Ankara and also with the Turkish Embassy in London.

I am looking to recruit members in Albania and Lithuania. In 2010, the outboard engine theft ring reached €70 million across Europe. If anyone has suggestions for members in these areas, please let me know: iamimarineeu@aol.com

**From Eric Lundin, CMI Program / Regional Training:** IAMI's Great Lakes Regional Training Seminar in Erie, Pennsylvania, held June 2-3, 2011 was a big success, with LE and private industry members from as far away as New Hampshire, Massachusetts, Ohio, Virginia, and Texas. Agencies attending included US Customs and Border Patrol personnel, who gave two presentations and showed off their CBP Air and Marine Branch patrol vessel and equipment. The venue was also spectacular: the Sheraton Erie Bayfront hotel on Lake Erie. Congratulations to everyone who was involved, including our instructors, Ronnie Rowland for managing all the registrations and fine details, to David Kacprowicz for his superb planning and management of all seminar details, and to Matthew Kacprowicz for his skillful and flawless management of all A/V matters.

Our next scheduled regional training seminar is October 2 - 4, 2011 in eastern Oklahoma—details will be available soon on the IAMI website. Also don't forget the IAMI Europe Annual Training Seminar in Dubrovnik, Croatia in later October. More Regional Training Seminars are in the works, and CMI exams will be scheduled at each location for pre-qualified applicants (contact HQ). Take advantage of regional training near you!

**From Kerry McCook, Insurance Committee:** Some of you reading *The Exchange* already know who I am, but for the benefit of the uninitiated, my name is Kerry McCook,

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## News from the Directors (Continued)

the newest member of the IAMI Board of Directors, and head of the Insurance Committee. I have been with the BoatUS Claims Department since 2007, and joined the IAMI Board of Directors at this year's Conference in Chattanooga.

If the first two months of summer are any indication, it will be active year for IAMI members. A boat explosion in Erie, Pennsylvania over Memorial Day weekend (just days before our Great Lakes Regional Training Seminar) was fatal for the boat owner and injured at least 10 others. A week later, two separate accidents killed three people on the Chesapeake Bay, just hours away from the BoatUS Alexandria, Virginia headquarters. Memorial Day weekend also marked fatal accidents in Southern California and Lake Michigan. IAMI's core values are needed more than ever.

One of my goals is to reach out to my fellow marine insurance professionals to ensure that IAMI has a grasp on the concerns and needs of our industry. I continue to correspond with the major marine insurers to ensure that they will be represented at our 2012 conference in San Diego. One thing that I have found is that our continuing task of getting our core CMI classes approved for Continuing Education (CE) credits is well accepted. As Shelly mentioned, our next goal is to get approved in Florida, which I am currently researching. I am also looking at streamlining the process for getting our classes CE approved in all 50 states. I'll be providing updates my efforts.

Should anyone have any questions or concerns, please contact me at [kmccook@boatus.com](mailto:kmccook@boatus.com) or [KerryMcCook@iamimarine.org](mailto:KerryMcCook@iamimarine.org). □

## A Brief History of NAMI, IAMI and IAMI Europe By Martin Aberg

Thirty years ago, Major Dave MacGillis of the Florida Marine Patrol was becoming increasingly more frustrated at police officers' lack of knowledge about boats and boat theft. While officers received extensive training in auto theft, for example, the average officer knew almost nothing about how boats were titled, how the numbering (HIN) system worked, and the tricks thieves used to steal, reregister, and sell boats. When a stolen boat was taken to another country or state, no one knew who to call to help with the investigation. The result was that boats in Florida were routinely being stolen and the thieves were seldom if ever caught.

MacGillis' solution was to establish an organization—a network among marine investigators that could provide badly needed training programs to combat marine theft. He started making calls to other officers and in 1986 the National Association of Marine Investigators (NAMI) was launched. The word “national” was used even though most the original members were from Florida with only few token members from other, nearby states.

NAMI's education and networking objectives meant that it quickly gained members in states that had boats, which was every state. But the very same objectives made it a popular organization in other *countries* with boats. The first international members, not surprisingly, came mostly from the Caribbean.

When I arrived in 1992, marine investigators in Europe were also starting to take notice of NAMI. I flew to Tallahassee from Sweden to attend the Annual NAMI Training Conference in Corpus Christi. Dave met me at the airport and we drove to the meeting with our wives. By then NAMI had become a bona fide national organization but it was still far from what it would become. I remember Dave showing me NAMI's database. He was clearly very proud of how quickly NAMI was growing and asked me to pick a state. I picked “Adirondack” because I'd visited there with my family as a

very young boy. Dave said it wasn't a state and asked me to try again. I chose Vermont, which I had also visited. Dave made a search but nothing came up. He asked me to PLEASE give him another state. Luckily I chose Florida, which got an impressive number of hits.

In 1996 NAMI became IAMI—the *International Association of Marine Investigators*. There were members in the Caribbean, South America and a few in Europe. That same year, my friend Peter Clark from C Claims in Essex, UK and I (mostly Peter), launched the European chapter of IAMI. For the next two years, we signed up members and in 1998 arranged the first European Annual Training Seminar in Southampton, UK. Sixty delegates attended. It was a good start—a big success.

In the years since, IAMI Europe has continued to grow and thrive, despite the diversity of countries and cultures. The annual meeting is held in different areas with the result that we have become more unified, which is helping to combat the growing boat and equipment theft problems in Europe, especially in Eastern Europe. A coordinated, professional effort has been essential. So too has our training and CMI programs, both of which are based on the ones in the USA

At the 2010 annual seminar in Galveston, Texas, I was elected as president for IAMI with its nearly 700 members world wide. In addition to the Caribbean and Europe, IAMI now has members in South Africa, Australia and Russia. Speaking personally, IAMI has given me many friends and professional contacts that have made my day-to-day work more enjoyable and has helped me to become a better investigator. Being part of an organization like IAMI has been a great honor.

There is still much to be done. What can we all do to further the mission of IAMI, and help us get our message out to more marine professionals? I challenge each of you to invite a colleague to become a member of IAMI and introduce him or her to a worldwide network of marine crime fighters. □



**Agenda**

**Tuesday 18/10**

- 13.00 +           Arrival  
                   Registration and Welcome drink & Networking into the evening.
- 19.00             Steering board meeting

**Wednesday 19/10**

- 07.30             Steering board meeting
- 08.00             Steering committee and Croatian introductions and welcome to Croatia, Guest program explained in detail
- 09.00             Navy presentation – Piracy and its affects and how we can assist in the fight against terrorism worldwide
- 10.30             Coffee break
- 11.00             Salvage
- 12.00             Lunch at hotel
- 13.00             Bus to Marina
- 13.30             IAAI Presentation – Full practical interactive training investigation program from the International Association of Arson Investigators  
                   Not to be missed!, involving the marina and the fire and rescue services of Croatia
- 14.30             Marina practical (HIN & Fire & Salvage)
- 18.30             Bus to hotel
- 19.30             (DRESS UNIFORM TO BE WORN PHOTO OPPORTUNITY)
- 20.00             BBQ Dinner hotel & drinks Package, Networking.

**Thursday 20/10**

- 08.00             Steering board meeting
- 08.30             Statement taking – Statement structure and process system for all investigators
- 09.30             Internet search tools – Interactive internet investigation, digging deeper into the WWW to get the results you need as an investigator and information to assist in your investigations.
- 11.00             Coffee break
- 11.30             Interview techniques interactive - Practical program including interview planning & methods.
- 13.30             Lunch
- 14.30             Intel swap / Environmental damage – Law enforcement only intel swap Police ID required, please bring all intel relevant to European Maritime crime to include suspects, crime patterns and figures, crime techniques and modes of crime.
- 15.30             Coffee break
- 16.00             Exhibitor input / Lightening damage
- 17.00             AGM – Any items for the agenda should reach the chairman not less than 4 weeks prior to the conference, only members may vote,  
                   Agency members count as one vote  
                   Watch website for Agenda before conference
- 20.00             Gala dinner (BUSINESS ATTIRE REQUIRED)

# Some Practical Legal Hints For Marine Surveyors and Adjusters

*By Richard McAlpin*

Marine surveying is a truly diverse, unique job—you act as the “eyes and ears” of your principals—boat owners, underwriters, lawyers, and lenders. While the job varies depending on which one of these groups you’re working for, your job is to report the nature, extent, and cause of loss (damage survey) or properly describe the risk (C & V survey) or the boat’s value (appraisal). Marine surveyors should act professionally, fairly and impartially, without knowledge of the terms of coverage. A marine surveyor must not make a determination regarding a policy’s coverage or liability.

But you know all of that. You also know that being a marine surveyor does not make you an adjuster. Here in Florida, an adjuster (properly licensed) may act as a surveyor, assuming he or she has the technical knowledge, but the reverse is never true. Marine surveyors must refrain from discussing coverage, settlements, or subrogation. He or she can’t apply damage to terms of coverage, discuss coverage, advise on coverage, or settle claims. However, surveyors may give repair estimates. Note also that adjusters are not attorneys. Adjusters can apply known facts to terms of the policy and reach conclusions in specific instances. He or she may also advise claimants and insurers of the terms and conditions of coverage, which is close to practicing law. What an adjuster can’t do is give legal advice.

But while surveyors typically know their role, I have found many instances in court where someone who knew better had stirred up a hornet’s nest of legal problems for their clients and themselves because, perhaps in the interest of being helpful, they casually said or did something that came back to haunt them. Below are a few tips that are worth reviewing from time to time, since you never know when a casual comment could land you in court.

1. **Understand Your Role:** Be clear as to what is expected of you—damage survey, C & V survey, full adjustment of claims, photos, statements, costs, who your employer is, who you are taking instructions from, who will pay you, and who to discuss the case with.
2. **Stick To Your Role:** Avoid crossover

and “mission creep.” Don’t be sucked into adjusting or offering coverage advice that you are not qualified to address. Don’t let a simple damage survey turn into an adjusting job or free repair advice.

3. **Avoid Making Promises You Can’t Keep:** You usually will be deemed to be acting as agent of your principal underwriter, even if you’re an independent. In *Reliance Insurance Company v. the yacht Escapade*, the surveyor had pressured the insured to authorize salvage and preservation work and the underwriter later attempted to disclaim coverage and avoid paying the salvor’s fee. Don’t make casual comments about coverage, payments, amounts or timing that could be construed as promissory unless you are an adjuster. You could prevent the underwriter from denying the claim, which, aside from costing you a client, could leave you open to a lawsuit.
4. **Let Everyone You Deal With Know Your Role and Duties:** Don’t pretend to be someone you’re not. If you’re there to do a damage survey on behalf of the underwriter, say so. If you’re there to do an adjustment/investigation on behalf of the underwriter, say so. If you’re there to appraise the boat on behalf of a lender, say so. When other people understand who you are, there is less chance you’re words and actions will be misconstrued.
5. **Document Important Findings And Information Clearly And Completely:** The poor layout, the rotten bulkhead, the origin of the fire or any critical piece of evidence needs to be well documented—photographed. Good written reports are also important, but make sure your client wants a written report. Notes and files are discoverable in litigation. If you want to be an expert, be careful not to jump to conclusions before you have the facts.
6. **Avoid Destructive Testing/ Spoliation Of Evidence Claims:**

This is one of the hottest topics maritime litigation. Be sure you have authorization before removing parts from the vessel. Do not discard evidence, repair damage, conduct any type of investigation that alters the scene without first discussing it with your client.

7. **Don’t Try To Be All Things To Everyone:** Don’t hesitate to advise that certain areas are beyond your expertise. This helps preserve your credibility with your clients and maybe the court. There is nothing worse than an unqualified “expert.”
8. **Don’t Guess Or Speculate:** Report only the facts (and get them right). Don’t speculate as to what happened or what the cause might have been. Ascribing motives without clear evidence is worthless—conjecture.
9. **Know Your Standards, Rules and Guidelines:** The only way you can know what you’re talking about is to know the ABYC and NFPA standards as well as the USCG Rules. Note that they change—credibility and competence are key to your success and continued value to clients.
10. **Maintain Files:** Prevent complaints from lawyers, opposing parties and your clients by keeping good files. Subrogation is often a possibility long after claims appeared to have been settled; files should be maintained for a minimum of five years.
11. **Stay In Touch With Your Profession:** You’ll benefit from networking, trends and news developments and increase your value to clients by participating in professional organizations like NAMS and SAMS. Also recommended: attend ABYC seminars and subscribe to periodicals relating to your professional development.

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## TITLING & SALVAGED BOATS, from page 1

it to its first owner in 1997. The dealer confirmed that the boat had been moved to Texas, where the dealer had learned from its first owner that it was totaled in a hurricane after breaking free from its mooring and rolling onto the beach—on its starboard side. The owner in Texas then took the boat to Ohio, to be put up for sale.

The surveyor in Ohio, who did the original pre-purchase inspection, agreed to travel to Bellingham to look at the boat again, although he maintained that it was possible the damage occurred while the boat was being trailered from Ohio.

“I think it is a fine line between over-reacting to an unknown situation and understating it, as in the case of wet core,” the Ohio surveyor told BoatU.S. “I think we could argue the points here forever.

“Assigning blame is time consuming and expensive; resolving the differences at this time would make more sense,” the surveyor concluded. Meanwhile the Ohio dealer wanted nothing to do with follow-up repairs, since the boat was sold in “as is” condition.

Comparing boat registration laws with auto registration laws is like comparing apples to oranges, with the regs for boats definitely on the “lite” side. All states have laws requiring that the titles of junked or salvaged cars be “branded” as such, but few states have similar laws for boats that have been wrecked in storms and accidents. States routinely require that titles of junked boats be relinquished to the boat registration agency, but little else. If a wreck is moved to a non-titling state, it can be refurbished and sold—and the lack of title doesn’t raise any concern.

“The problems caused by the absence of salvage vessel titling laws have come onto everyone’s radar screen because of all the hurricanes in the past decade,” says Carroll Robertson, senior vice president of BoatU.S. Marine Insurance Claims. “The state of Florida has instructed insurance companies that they [insurance companies] must be named on the titles of boats sold in salvage auctions.” This should serve as a red flag to buyers that the insurance company has declared the boat a constructive total loss.

Trouble is, similar requirements are not in place in any of the other Gulf States that regularly bear the brunt of hurricane activity. Tens of thousands of boats have been reduced to scrap in recent years as a result of mammoth storms. The *Insurance Journal* (January 2, 2006) estimates that, during Hurricane Katrina alone, almost

75,000 recreational boats were destroyed. It’s a safe bet that a fair number of these wrecks are in the hands of owners who have no clue about their histories.

“Many of these boats are sold ‘as is, where is’ by third-party liquidators,” Robertson says. “The new owner may not know about hidden damages” until a stringer cracks or something major happens and repair efforts reveal the true extent of the destruction. At this point, the owner is really up a creek because marine insurance policies do not cover pre-existing conditions and owners have little or no recourse against sellers when boats are sold “as is.”

“What is needed is a federal uniform vessel titling act adopted by all the states,” says Robert S. Fisher, a maritime attorney in New Jersey and former chairman of the yacht finance subcommittee of the Maritime Law Association. State boat registration or numbering laws are in place because they are required by the Federal Boat Safety Act administered by the U.S. Coast Guard but the Act does not require states to adopt titling laws.

Nevada is one of three titling states that requires salvage vessel titles be “branded.” Fred Messman, the state’s boating law administrator, cites a recent case.

“The insurance company had totaled a vessel, and the next summer it was back here for registration from a ‘new’ owner,” he recalls. “The insurance company had sold it for salvage and someone bought it, reconstructed it and sold it. The new owner did not know it had been destroyed and rebuilt.

“We captured the HIN [hull identification number] and when that was entered it blocked the registration because it was marked as ‘destroyed,’” Messman says. “To me this is fraud.”

Despite a 1988 Congressional mandate to create a national Vessel Identification System (VIS), the lack of uniformity of state boat registration laws makes it virtually impossible to develop anything similar to the system already in place for automobiles. Besides helping law enforcement officials track stolen or abandoned vehicles, the system for automobiles also provides ownership and information about previous traffic accidents or traffic law violations.

A Congressional General Accounting Office report in 2002 shows why advocates of a vessel identification system don’t expect the problem to be resolved soon. Citing profound incompatibilities between the information gathering and sharing systems of states and the U.S. Coast Guard, the

GAO investigation found that many states are “unwilling or unable to commit the funds needed to participate.”

Furthermore, although the Coast Guard initiated a plan to develop VIS, “it is unable to estimate when it will develop a system that could upload, integrate and update states’ data.” State boating law officials say that they are hindered because each state gathers different information about boats and many use incompatible data processing programs.

“Fourteen years after legislation required the Coast Guard to develop a vessel identification system, no such system exists and future plans for developing the system are uncertain,” concludes the GAO report.

Nearly 15 years ago, the membership of NASBLA adopted a model act for titling vessels. Among other things, the model act sets requirements for the issuance and content of certificates of title for recreational vessels, and also establishes the responsibilities of manufacturers and dealers relating to titling. In addition, the proposal outlines requirements related to the notice, priority, release and surrender of security interest in vessels.

In the wake of Hurricane Katrina in 2008, and in response to the number of vessels damaged by the storm, NASBLA added provisions for a salvage or non-repairable title “brand,” to prevent fraud and to protect consumers. The following year, the model act was amended to correspond more closely to the Vessel Identification System provisions in the Code of Federal Regulations.

As this issue of *The Exchange* goes to press, the model vessel titling proposal is due to be voted on by the Uniform Law Commission, a non-profit group that is comprised of commissions on uniform law from each state. They will vote to determine whether to recommend the act as a uniform or model act, then will work towards enactment in their home districts.

In the meantime, surveyors, who could face liability issues, should take some precautions. First and foremost, a surveyor who suspects a boat may have been sunk or badly damaged, should make note of the reasons for their suspicions in their report, even if it ultimately can’t be proved. It would also be prudent to recommend that the client ask the seller for a signed statement acknowledging that he or she has revealed everything they know about the boat’s history, including existing or repaired damages.

*Caroline Ajoatian is Assistant Vice President and Director of the Consumer Protection Bureau at BoatUS. □*

## NEWSNOTES, from page 1

ational boats under 65 feet. According to Margaret Podlich, BoatU.S.'s VP of government affairs, the reason commercial vessels were exempted was because the bill would not have passed if they were included; powerful fishing and shipping groups would have used higher ferry fares, trade restriction, and job loss arguments to kill the bill. The law will be enforced by the State Department of Ecology, with fines of up to \$10,000 for violations.

Washington state has a large salmon fishery, which is particularly susceptible to copper poisoning. It's likely other states will follow Washington's lead. Manufacturers are scurrying to find alternatives—so far none have been as effective overall and some wooden boat owners say the copper-free alternatives currently available cannot protect their vessels from worms and other burrowing pests.

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It's not just bottom paint that can be hazardous to sea life. Most anodes are made of zinc, but more and more are being made of aluminum, since it tends to work in more conditions and provide greater protection than zinc. Recently, some questions have been raised about the zinc used in anodes, since it can be toxic to aquatic life. Most aluminum anodes contain cadmium, which is also toxic. CMP, a company that makes aluminum anodes, says they are now making aluminum anodes without cadmium. The company says the remaining components, aluminum and indium, are non-toxic to marine life.

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There are lots of reasons to promote life jacket usage, though most boaters don't want the government telling them they must be worn underway. In most states, kids under a certain age are required to wear a life jacket, but there are no laws requiring adults to (with the exception of those worn on PWCs). At least there weren't until last April. Boaters in California's Pine Flat Lake now face mandatory life jacket usage with few exceptions. In fact, even swimmers outside a designated swimming area are required to wear them. The US Army Corps of Engineers is behind the law and says that other areas are being studied for mandatory life jacket usage. Marine surveyors would do well to make sure owners of boats they survey in the area are aware of the new law since boat-

ers face a \$175 fine if they fail to comply.

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Another area where boaters can be fined has to do with black water discharge. Most larger recreational boats have holding tanks for their marine heads, though many also have valves to allow untreated sewage to pass directly into the water. That practice is usually legal over three miles from shore, with some exceptions, such as the Chesapeake Bay. The EPA is considering new areas that would be off-limits to dumping in some parts of Massachusetts and all of Long Island Sound. Marine surveyors can do their clients a favor by informing them that dumping in no-discharge zones (NDZs) can carry heavy fines. Other areas in the Northeast that are NDZs include all state marine waters of Connecticut, Rhode Island and New Hampshire as well as parts of Massachusetts and Maine.

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There are almost 50 million Spanish speakers in the US and many of them are in the boat building business (there are also a number of Spanish speaking marine surveyors in both NAMS and SAMS). Recently, Brunswick Boat Group, in partnership with the ABYC, published the *USCG Electrical Compliance Guideline* in Spanish. The 80-page book covers the Federal requirements for ignition protection, grounding, batteries, conductors in circuits of less than 50 volts, more than 50 volts, secondary ignition circuits and overcurrent protection. The guideline also provides typical wiring diagrams for several types of boats.

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All the formerly closed fishing areas of the Gulf of Mexico are open after the infamous oil spill there last year. The National Oceanic and Atmospheric Administration recently reopened the final 1,041 square miles of Gulf waters immediately surrounding the Deepwater Horizon wellhead, just east of Louisiana. NOAA says that no oil or sheen has been documented in the area since last August. At its peak, the closed area was 88,522 square miles, or 37 percent, of federal waters in the Gulf of Mexico.

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The American Boat Builders and Repairers Association (ABBRA) recently released its annual wage rate survey for the industry. Average wages for each category—dockhands, yard laborers, mechanics, service managers, and general managers—showed

lower wages. Laborers for example, experienced decreases from \$15.98/hr. to \$15.47/hr. while others, such as general managers lost more ground, from \$41.31/hr., to \$38.76/hr., which was the largest decrease. For those who are curious, dockhands average \$10.34/hr., down from \$10.44/hr last year and service managers earned \$28.43/hr., down from \$29.93/hr. The one bright spot was for mechanics, whose average wage went from 22.09/hr., to \$22.32/hr. The study found that if there was a wage increase over last year, it was only 0.94%. As was the case last year, the mid-Atlantic region overall pays the highest wages while the Gulf Coast region pays the lowest. For a complete report, contact [www.ABBRA.org](http://www.ABBRA.org).

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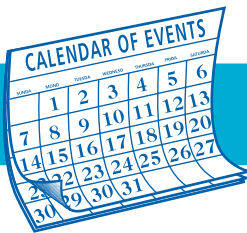
Business groups tend to oppose government intervention, but the Florida Yacht Brokers Association, which is regulated by the state, lobbied for continued licensing and regulation. The Florida Yacht & Ship Brokers Act, which has regulated brokers since 1998, faced repeal in the legislature until the Marine Industries Association of South Florida and the Marine Industries Association of Florida joined with the Florida Yacht Brokers Association to keep the Act as law. According to the industry, the 2,500 brokers in Florida account for nearly 20 percent of all yachts sold worldwide. The Act requires that yacht brokers be licensed and bonded, since brokers typically collect, hold and distribute large sums of money that are held in escrow accounts.

Supporters of the bill were concerned that deregulation could undermine Florida brokers' reputations and cause clients to feel unsafe, handing over large sums of money from thousands of miles away.

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Who's responsible when a PWC operator slams into a boat, killing someone? According to the parents of a teenager that died in a PWC accident, Yamaha, the maker of the Wave Runner the teen was operating, is responsible because they say the steering was flawed. Two teens had convinced the PWC's owner that they knew how to operate the boat, though neither was trained or licensed and both were under the legal age to operate a PWC. One of the teens died and one was severely injured when the PWC collided with a boat. The PWC opera-

*Continued on page 12*



# 2011 Planning Calendar Of Educational & Association Events

**July 18-19, 2011. American Boat Builders and Repairers Association (ABBRA)** is hosting its inaugural Summer Symposium in New Bedford, Massachusetts. The two-day event includes panel seminars from industry leaders, attendee-led roundtable discussions on current issues, and a keynote presentation. For more information, call Jessica Slemmons at (401) 247-0318 or email [jslemmons@abbr.org](mailto:jslemmons@abbr.org).

**July 19-21, 2011. American Boat and Yacht Council (ABYC) Basic Marine Electrical Course** will be held in Miramar, Florida. This three day basic marine electrical course is designed for the electrical novice with minimal or no electrical experience. Topics include basic theory, alternators, battery chargers, and bonding. AC & DC standards are covered in detail as well as troubleshooting practices. Contact ABYC at (410) 990-4460 or email [mnew@abycinc.org](mailto:mnew@abycinc.org)

**August 14-17, 2011. American Society of Appraisers** is having their 75th International Appraisal Conference in Washington, DC. Among the topics will be how the downturn in the economy affects appraisals, as well as the future of the industry. For more information, call (703) 478-2228.

**September 13-15, 2011. American Boat and Yacht Council (ABYC) Standards Certification Course** will

be held in Costa Mesa, California. This three-day course will provide the student with a comprehensive and focused look at the key ABYC standards. Class discussion will address specific compliance issues relevant to engineers, installers, compliance inspectors and marine surveyors. Contact ABYC at (410) 990-4460 or email [mnew@abycinc.org](mailto:mnew@abycinc.org).

**September 20-23, 2011. American Boat and Yacht Council (ABYC) Electrical Certification Course** will be held in Seattle, Washington. The four-day course topics include electrical theory, lead-acid batteries, using a multi-meter, battery testing, generator sets, inverters, grounding and bonding systems, troubleshooting and more. Also, AC & DC circuits will be covered in detail. The class concludes with a 200-question certification exam. Contact ABYC at (410) 990-4460 or email [mnew@abycinc.org](mailto:mnew@abycinc.org)

**September 20-23, 2011. American Boat and Yacht Council (ABYC) Marine Corrosion Certification** will be held in Mystic, Connecticut. The four-day course emphasis includes metal corrosion as it pertains to the design, construction, repair, and maintenance of boats. Corrosion theory and chemistry is discussed in detail. The class concludes with a 200-question certification exam. Contact ABYC at (410) 990-4460 or email [mnew@abycinc.org](mailto:mnew@abycinc.org).

**October 5-8, 2011. The Society of Accredited Marine Surveyors (SAMS)**

will hold its 2011 Annual Conference & Educational Training Symposia at the Marriott Harbourfront Hotel, Halifax, Nova Scotia. For reservations, call 1-615-883-2211. For further information contact SAMS at 1-800-344-9077 or e-mail [SAMSHQ@aol.com](mailto:SAMSHQ@aol.com).

**October 11-14, 2011. American Boat and Yacht Council (ABYC) Diesel Engine and Support Systems Certification** will be held in Miramar, Florida. This four-day course is intended to supplement factory sponsored engine specific courses and certifications with an industry recognized generic certification of knowledge for troubleshooting engine and drive installations. It will provide the student with a comprehensive and focused look at the key ABYC standards. Additionally, extensive coverage of both ABYC Standards and USCG requirements as they apply to diesel-fueled engines will be provided. Contact ABYC at (410) 990-4460 or email [mnew@abycinc.org](mailto:mnew@abycinc.org).

**October 17-19, 2011. The International Boatbuilders' Exhibition and Conference (IBEX)** will be held at the Kentucky Exposition Center in Louisville, Kentucky. The IBEX exhibition features more than 800 OEM's and suppliers from throughout the world. The IBEX exhibit hall is free to all qualified marine industry professionals. Online registration is available at [www.ibexshow.com](http://www.ibexshow.com). □

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tor apparently cut the throttle to make a turn, but since PWC's of that era (before 2003) did not have steering without power, she was unable to turn out of the way of the oncoming boat. One of the teens' parents is asking for \$7 million in damage.

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Many people in the recreational boating industry regard training as a necessary evil; it's time-consuming, expensive, and often inconvenient. But training, especially technical training from a recognized leader such as the ABYC, can be beneficial for marine surveyors, underwriters, and boat builders. In the past, ABYC training meant travel and its associated expenses, but now ABYC is offering webinars—seminars on the web—for some subjects. While not the same as the full-blown courses,

the webinars have significant educational value. (And you don't have to get out of your pajamas to attend.) So far, the subjects offered are "Introduction to Marine Accident Investigation," with Joe Derie, "Using TDR to Trace On board Electrical Faults," with Ed Sherman, and "Propeller Selection and Sizing," with Dave Gerr. Perhaps the best part, aside from not having to stow carry-on baggage, is the cost—\$49 for members and \$99 for non-members. Contact the ABYC at 410-990-4460 ext. 43 to learn how to sign up.

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ABYC standards have been available online for a while now, but apparently some people are having difficulty accessing, or understanding ABYC's WebSTIR, the 24/7 online access to the Standards. Those who are not web-savvy say it's complicated, and confusing. They're likely the

ones who like the heft of the hard copy and don't mind thumbing through a book. But as technology advances, things like reference books that you can hold in your hand are becoming a thing of the past.

To help the technologically challenged, John Adey, the ABYC Technical Director, says they have produced a series of mini-tutorials that unravel the mysteries of WebSTIR and they can be viewed via YouTube (something everyone should be able to manage). The videos cover login, library, navigation, and search functions and are offered at no charge. Besides the Standards, WebSTIR includes the USCG's Rules and Regulations for Recreational Craft, the companion USCG compliance guidelines, the EPA Rules and Regulations for Recreational Craft, the ABYC comparison reports, and the past ABYC supplements from 2003. □