



House Transportation Committee  
House Bill 284 – Opponent Testimony  
May 21, 2024

Chairman McClain, Vice Chair Dobos, Ranking Member Grim and members of the House Transportation Committee, thank you for the opportunity to provide opponent testimony regarding House Bill 284. Founded in 1957 under the name the Lake Erie Marine Trades Association, the Ohio Marine Trades Association (OMTA) welcome boat dealers, marina operators, watercraft manufacturers, clubs, financial entities, other water-based organizations and the individual recreational boaters throughout the entire State of Ohio. My name is Ken Alvey. I have served as the President of the Lake Erie Marine Trades Association, and I also served as the Chief of ODNR’s Division of Watercraft.

Recreating on Ohio’s waterways is an activity enjoyed by many Ohioans. Waterskiing and tubing being some of the most popular. It is the position of OMTA that these activities must be enjoyed with the utmost of safety to protect from any unintentional injuries. One way to ensure safety is to have a “spotter” on the boat to monitor the person being towed behind the vessel. The driver of the boat cannot reasonably be expected to keep a keen eye on the skier or tuber and also be paying attention to their surroundings. HB 284 proposes allowing the driver to instead use a rearview mirror, but we do not agree that this is an adequate substitute.

Waterskiing or towing devices accounted for 7% of Boating Accident Report injuries from 2020-2023. With a boat traveling at speeds of 23-30 mph, not only does a spotter help keep the participant safe while skiing, it is also important to have that additional person on the boat if an accident happens. It would be difficult for one person to manage the boat and pull a skier from the water and attend to any injuries. The spotter is a key part of safe water recreation and Ohio should not remove this requirement from law.

Even guidance from [Nationwide Children’s Hospital](#) includes: *Always have a spotter sit at the back of the boat to watch the skier and communicate with the boat operator.* In their guidance for safe waterskiing.

We understand that some water-skiers are experienced and may feel safe out of the waters with just a driver. However, the bill as presented doesn’t take into consideration:

- The age of the skier or tuber;

- The experience of the skier or tuber;
- Congestions on the waterways. In congested waterways or areas with heavy boating traffic, you must reduce your speed and maintain a safe distance from other vessels. Slow down when approaching marinas, docks, or swimming areas, and be prepared to maneuver your boat precisely to avoid collisions or accidents. Boaters also need to keep an eye out for kayakers, paddleboarders, and other smaller watercraft.
- Weather conditions. Wake is going to vary based on weather conditions. A calm day is going to offer a very different experience than recreating on choppy waters.

For these reasons, OMTA must oppose HB 284. Ohio has recently strengthened laws for distracted driving, we strongly disagree that laws regarding distracted boating should be weakened. Especially in cases where a boat is pulling a person behind them. I thank the committee for their consideration of this perspective and would welcome any questions you have.