

ONTARIO FEDERATION OF ANGLERS & HUNTERS

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Ontario Conservation Centre

OFAH FILE: 333B

April 27, 2023

Transport Canada
330 Sparks Street
Ottawa, Ontario
K1A 0N5

Subject: Introducing new requirements on installing and using engine cut-off switches on certain recreational vessels.

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest, non-profit, fish and wildlife conservation-based organization, representing 100,000 members, subscribers and supporters, and 725 member clubs. Through the *Let's Talk Transportation* portal, Transport Canada is seeking feedback on requirements for engine cut-off switches (ECOSs) to be installed on new vessels that are less than 8 m (26 ft), have an engine or engines that can produce at least 3 horsepower in total (or equivalent unit), and a primary helm station that is not in an enclosed cabin. The proposal also includes requirements for operators to link themselves to an ECOS (if their vessel has one) under the same vessel conditions. Overall, the OFAH is not opposed to the ECOS proposals and offers the following feedback for further consideration.

The OFAH gathered a diversity of perspectives on the proposals from across the province through our Fisheries Advisory Committee (FAC). There were no serious concerns about regulating the installation of ECOSs because, for decades, most manufacturers have voluntarily installed them. Moreover, since a large percentage of boats sold in Canada are manufactured in the United States, they are already legislated to be equipped with ECOS devices. As such, this aspect of the proposal was thought to be a relatively low priority in comparison to other boating-related safety concerns (e.g., competency, personal flotation devices [PFDs], life jackets).

Transport Canada can expect mixed feelings about mandatory tethering. For example, trolling is a common angling technique that involves trailing lures or bait behind a fishing vessel that is in constant forward motion. Linking oneself to the ECOS while trolling could be very impractical while managing rods, reels, and other fishing gear and equipment. Similarly, a very common fishing practice involves casting while underway using trolling motors. Trolling motors are typically bow-mounted, where the operator is also situated, and usually do not come equipped with an ECOS. To accommodate the angling community and avoid these challenges, Transport Canada should consider approaches used in other jurisdictions, where mandatory tethering applies only to vessels operating on plane or above displacement speed.

While the risk is greatest at high speeds, the committee members also emphasized speed is not necessarily the most critical factor because even slow-moving vessels have the potential to be dangerous. This calls into question the most appropriate strategy for when an operator should be tethered in. Although key fobs are becoming more common and could circumvent some of the identified problems while simultaneously being more practical for anglers, industry is not at the same stage relative to ECOSs. The enforceability of mandatory tethering was also questioned and may be easily bypassed and/or overlooked by boaters.

There does not appear to be any national statistics on deaths and injuries resulting from runaway boats which makes the overall impact of the proposal unclear. We are also unaware of data analyses conducted by Transport Canada on deaths and injuries that could have potentially been avoided through the use of ECOS devices in Canada. Good faith alone may be insufficient to convince the public that the proposal will reduce risk within the boating community. Having a comprehensive data catalogue and clear evidence would improve the overall understanding of injuries and deaths and could be used to evaluate the effectiveness of mandatory tethering.

Regulating ECOSs for manufacturers and boaters, as proposed, is believed to be a low priority compared to bringing operator competency and the use of PFDs and life jackets to the forefront. As it stands, the OFAH does not support mandatory wearing of PFDs/life jackets in boats at all times; however, it may be necessary to prioritize this topic to significantly enhance boater safety now and into the future. Thank you for consideration of our comments.

Yours in Conservation,



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AW/jb

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