



Hire and drive personal watercraft safety

Consultation paper
November 2010

Why a consultation paper?

Maritime Safety Queensland is seeking the views of personal watercraft (PWC) hire and drive providers and people with an interest in this marine sector, on how to improve the safety of hire and drive PWC riders in Queensland.

Hire and drive personal watercraft are a popular tourism activity and it is critical from a public safety perspective that the operators maintain the highest safety standards.

A recent coroner's report into a fatality occurring at a hire and drive operation has resulted in a number of recommended changes to personal watercraft hire and drive operations with wider safety implications for all personal watercraft operators.

This consultation paper presents initiatives that could be adopted to improve hire and drive personal watercraft rider safety in Queensland including regulatory responses to the coroner's findings.

Guidelines for making a submission

Hire and drive personal watercraft providers, riders, other waterway users and anyone in the community with an interest in hire and drive personal watercraft safety, are invited to have their say about the proposed initiatives.

This consultation paper is available on the Maritime Safety Queensland website www.msq.qld.gov.au.

Submissions can be made by completing the online feedback form on the Maritime Safety Queensland website www.msq.qld.gov.au, or by written submission to:

Hire and drive personal watercraft safety
Maritime Safety Queensland
GPO Box 2595
Brisbane Queensland 4001

Fax: (07) 3120 7355

Responses should be received by 4 February 2011.

Submissions will not be returned.

Background

On 11 March 2010 a coroner delivered his findings into the death of a hire and drive personal watercraft rider. The rider died from injuries sustained when the hire and drive personal watercraft he was operating collided with the anchor chain of a vessel, anchored adjacent to the nominated circuit on the Southport Broadwater on 28 April 2008. The coroner concluded the rider's inexperience in personal watercraft operations was the primary cause of the incident.

The coroner was critical of Queensland legislation that currently provides for the unlicensed operation of hire and drive personal watercraft. He was also critical of the adequacy of existing provisions in the regulations and Maritime Safety Queensland's capacity to regulate the industry.

In his findings four marine safety recommendations were made relating to:

- licensing of hire and drive personal watercraft riders
- personal watercraft helmet wearing
- improved auditing of hire and drive personal watercraft operations
- enforcement guidelines.

Current Queensland regulations

The *Transport Operations (Marine Safety—Hire and Drive Ships) Standard 2007* regulates the operation of hire and drive personal watercraft operations in Queensland.

The Standard provides a risk based alternative to licensing for riders of hire and drive personal watercraft.

- An unlicensed rider is allowed to operate a hire and drive personal watercraft if supervised by the provider or a tour guide.
- An unlicensed person may not, under any circumstances, operate a vessel which is towing a person.
- The Standard also requires the provider to ensure the rider has sufficient skills and abilities to operate the personal watercraft safely.

- The provider must ensure that the rider is briefed on the safe operation of the personal watercraft before a rider operates the craft. The briefing must include a practical demonstration of the handling of the personal watercraft while it is underway.
- This practical demonstration is not required if the provider considers the rider already has sufficient skills and ability to operate the personal watercraft safely (for example, the hirer is the holder of a current personal watercraft licence).

Safety record of the industry

In the period from 1 January 2000 to 31 December 2009, there were 84 reported marine incidents involving hire and drive personal watercraft in Queensland resulting in one fatality and 19 serious injuries (injuries resulting in hospital admission).

The highest incident categories for hire and drive personal watercraft were 33% collisions and 22% injury caused by operation of the personal watercraft.

The highest causal factors of incidents were human factors with 22% operator error, 19.5% inattention, 9.8% lack of knowledge or experience and 7.3% excessive speed.

This indicates the primary cause of incidents is a lack of skill and knowledge by riders of these personal watercraft.

Comparison of incidents to other high risk recreational pursuits

Personal watercraft riding is an intrinsically high risk recreational activity. To put the safety record of the industry into perspective the figures need to be compared to other common adventure/high risk recreational activities.

Table 1 provides a comparison of fatal and serious injuries sustained per 100 000 hours of operation for a variety of marine sectors.

Incident and injury reports provided by hire and drive personal watercraft providers are typically more reliable than those provided by recreational personal watercraft riders generally, primarily because of the insurance implications for hire and drive providers. This is evident by comparisons between marine incident and hospital admission data for personal watercraft related injury incidents.

In comparison, the estimated fatal and serious injury rate for unlicensed hire and drive personal watercraft operations (1.14 per 100 000 hours of operation) is significantly lower than the rate for licensed recreational personal watercraft operations determined using hospitalisation data (2.06 per 100 000 hours of operation).

- a) hire and drive vessel activities are, at times, used as an activity and entertainment intended to provide a degree of adventure
- b) hire and drive vessels are driven by participants who do not hold maritime qualifications in most instances.

Industry profile

There were 29 hire and drive providers operating a total of 218 personal watercraft in Queensland as of 31 December 2009. In comparison, there were 14 730 recreational registered personal watercraft and 73 386 personal watercraft licences issued.

The previous consultation with industry representatives indicates hire and drive personal watercraft currently average approximately 1000 operational hours per year (200 operating days/year at five hours/day). By comparison, data from the National Boating Usage Survey indicates annual average use of 120 hours for recreational personal watercraft.

At a typical hire rate of at least \$100 per hour, the income to the tourist industry is estimated to be potentially \$21.8 million per annum.

As part of an extensive two stage consultation process undertaken in 2006/2007 for the review of the *Transport Operations (Marine Safety—Hire and Drive Ships) Standard 2000*, a proposal document outlining possible changes to the Standard was prepared.

All persons known to have an interest in the Standard were notified by letter of the release of the proposal document and stakeholders meetings were held to discuss the possible changes listed in the proposal document.

The majority of respondents to the proposal document opposed introducing a requirement for riders to hold a licence to operate a hire and drive personal watercraft. Respondents stated concerns that a requirement for a licence would reduce the volume of potential clients to levels that would threaten the financial viability of their businesses.

A comparative summary of interstate personal watercraft hire and drive licence requirements and evaluation of industry size is shown in Table 2.

Table 1
Safety records of various marine sectors

Marine sector	FSI*/100 000 hours of operation
Queensland white water rafting	12.1
British Columbia recreational scuba diving	11.62
Queensland recreational personal watercraft recorded as marine incidents	0.58
Queensland recreational personal watercraft recorded through hospitalisation reporting	2.06
Queensland hire and drive personal watercraft	1.14
Queensland general hire and drive boats	0.24

*FSI = fatal or serious injury

Rider acceptance of risk

Hire and drive vessel activities involve exposing participants to a higher level of risk than would be experienced by a passenger on a commercial passenger vessel. Passengers on commercial vessels place their safety in the hands of others with an expectation they will be kept safe. In contrast recreational vessel owners and operators take primary responsibility for their own risks with light handed control from government.

Whereas riders of hire and drive vessels take some risk themselves, government works to limit exposure to those risks by restricting certain aspects of operation such as daylight only use.

This reflects two fundamental aspects of hire and drive vessels that, taken together, differentiate them from other commercial vessel operations:

Table 2**Comparison of the licensing requirements to hire a personal watercraft and the size of the personal watercraft hire sector by state and territory in Australia**

Jurisdiction	Licence to use recreational personal watercraft	Licence to hire personal watercraft	Conditional personal watercraft hire permitted without licence	Number of providers	Number of hire personal watercraft
Queensland	✓	✓	✓	29	218
Western Australia	✓	✓	✓	4	21
South Australia	✓	✓	✓	3	7
New South Wales (pre April 2006 businesses–no licence required)	✓	✓	✓	4	21
New South Wales (post April 2006 businesses – personal watercraft licence required)	✓	✓	✓	1	4
Victoria	✓	✓	✓	4	16
Tasmania	✓	✓	✓	0	0
Northern Territory	X	X		0	0

Tasmania, Victoria and New South Wales require a personal watercraft licence or endorsement on a general boating licence to hire a personal watercraft.

New South Wales has several hire and drive businesses that were operating prior to the licensing requirements changing in 2006. The hire and drive operators that are allowed to hire to unlicensed riders in New South Wales operate in waters that are nominated as exclusive use. Since the requirement to hold a personal watercraft licence as a personal watercraft hirer has come into effect, only one provider has commenced business in that state.

Western Australia permits unlicensed riders to hire personal watercraft provided the personal watercraft is fitted with a governor to limit its maximum speed to 20 knots and a remote engine cut-off switch allowing the supervisor to stop the vessel. South Australia also permits unlicensed riders to hire personal watercraft provided they have received prescribed practical instruction from the provider. There is no recreational boating or personal watercraft licensing requirements in the Northern Territory.

Licensing of hire and drive personal watercraft riders

Coroner's recommendation:

- That legislation be developed requiring all persons who use a personal watercraft in Queensland be licensed.

Evaluation

There is potential for significant impact on the commercial viability of hire and drive operations if the coroner's recommendation of requiring all hirers of personal watercraft in Queensland to hold a personal watercraft licence was implemented. Maritime Safety Queensland is considering a number of alternate regulatory responses that address the issue of unlicensed/inexperienced personal watercraft riders.

The effectiveness of the changes under consideration would be dependant on hire and drive providers rigidly adhering to the application of the current *Transport Operations (Marine Safety—Hire and Drive Ships) Standard 2007*. Most of these enhancements could be achieved by the imposition of conditions on the registration of hire and drive personal watercraft.

Maritime Safety Queensland will implement an audit program to assess ongoing compliance with these changes. If providers fail to comply with these changes then further consideration will need to be given to implementing the coroner's recommendation that all hire and drive personal watercraft riders be licensed.

Implementing the audit program to ensure ongoing compliance with these changes will impose additional costs on the Queensland Government. Government policy is to achieve full cost recovery wherever possible for services it provides.

However, any registration fee increase for hire and drive personal watercraft will be deferred until a review occurs of the regulatory fees to be imposed under the proposed single national jurisdiction for marine safety regulation from 2013.

Preliminary regulatory options

Below are four options Maritime Safety Queensland is considering to address the issue of unlicensed/inexperienced personal watercraft riders.

Require all hire and drive personal watercraft to be fitted with a device to govern power

There have been significant advances in personal watercraft design and performance in the past 20 years. Personal watercraft have evolved from pole skis, suitable for use by one person only, to current models capable of carrying three adults, towing skiers and surfers, and achieving extremely high speeds.

Research involving various manufacturers has revealed most personal watercraft manufacturers offer a 'learner key' which limits engine RPM and top speeds to about 30 knots.

The imposition of a requirement to govern the power output or maximum speed would improve the safety of hire and drive personal watercraft.

Industry feedback is sought to determine an appropriate maximum power output or speed and to determine an appropriate transition period for existing craft to be modified or replaced.

Provider's safety management plan to comply with the *National Standard for Commercial Vessels (NSCV) Leisure Craft Standard*

The National Marine Safety Committee has been developing the NSCV as a replacement for the current *Uniform Shipping Laws Code*. The new leisure craft section of the NSCV will require providers to prepare a safety management plan tailored to hire and drive personal watercraft. To assist industry to comply with this standard, Maritime Safety Queensland would publish a model safety management plan as a benchmark for assessment of these documents.

Competency standard

Maritime Safety Queensland could require each provider to assess the skills and abilities of each rider to operate a hire and drive personal watercraft in accordance with an approved competency standard and record the

competency of each rider on an approved competency assessment sheet.

The competency standard will outline the skills and abilities that must be demonstrated to a provider by those who wish to ride a hire and drive personal watercraft in Queensland. The competency standard will also indicate that a practical demonstration must be undertaken by all unlicensed personal watercraft riders to satisfy the *Transport Operations (Marine Safety—Hire and Drive Ships) Standard 2007*. The practical demonstration would include the demonstration of the hirer's ability to start, manoeuvre and stop the personal watercraft in normal and emergency situations.

A preliminary draft of the competency standard is provided as Attachment A.

Establishing exclusive use zones

The *NSCV Leisure Craft Standard* recommends pen and tour operations involving unlicensed riders would only be suitable in areas contained by relatively benign waters that are subject to limited maritime traffic.

Maritime Safety Queensland would undertake an assessment of existing hire and drive personal watercraft operations to determine any potential conflict with the *NSCV Leisure Craft Standard* in relation to other maritime traffic and the potential for incidents involving swimmers and other craft.

This assessment would identify the need to create further exclusive use zones similar to those implemented for hire and drive personal watercraft pens on the Sunshine Coast. It would also assess whether tour operations can be safely continued on the crowded waterways of south-east Queensland.

Personal watercraft helmet wearing

Coroner's recommendation:

- That legislation be put in place requiring all personal watercraft riders to wear appropriately designed helmets for personal watercraft.

Evaluation

Maritime Safety Queensland has conducted research into personal watercraft related helmet standards and

safety issues to determine if sufficient evidence exists to support such a legislative requirement.

Maritime Safety Queensland was not able to identify any country that presently mandates the use of helmets by personal watercraft riders.

Anecdotally, many personal watercraft operators are opposed to wearing helmets, mainly based on the need for optimum peripheral vision and hearing to maintain situational awareness and the risk of injury from what is colloquially known as 'the bucketing effect'.

Independent research by a working group of the Special Commission for Sport and Pleasure Navigation within the Permanent International Association of Navigation Congresses, identified that helmet wearing by personal watercraft riders:

- caused accelerated fatigue
- reduced the rider's ability to move their head in order to use peripheral vision
- increased the risk of neck injury (compared to the more statistically remote likelihood of head injury from a collision involving personal watercraft).

The working group concluded that the present state of knowledge does not recommend helmet wearing except in competition use.

Research suggest that helmets are likely to reduce the number and severity of non-facial head injuries sustained in personal watercraft related accidents, but are unlikely to substantially improve injury outcomes where facial injuries are sustained as a result of frontal impact/blunt force trauma.

The likelihood of serious neck or spinal injury from impact with the water is significantly increased for riders with helmets even at normal operating speeds.

Helmets have the potential to exacerbate non-head injuries or cause additional injuries such as neck and spinal injuries where the mechanism of injury involves the head hitting the water. Research suggests the upper neck twisting force increased 160% at 30 miles per hour for a rider wearing a full face helmet compared to the bare head.

Peripheral vision is a critical issue for personal watercraft riders in maintaining situational awareness and a proper lookout but is unlikely to be adversely impacted by most helmets currently available.

The hearing of a personal watercraft rider will be impaired to some degree dependent on the type of helmet being worn (compared with their hearing without a helmet).

Unless the potential for head injury due to collision or blunt force trauma is significant (like in racing), wearing a helmet is not recommended.

Preliminary regulatory options

Maritime Safety Queensland is not recommending that a helmet be made a requirement for use of a personal watercraft.

Improved auditing of personal watercraft hire operations

Coroner's recommendations:

- That all personal watercraft hire and drive operations be inspected and audited on a regular basis, including at least one yearly covert audit.
- That full records and documentation be maintained of all interaction between Maritime Safety Queensland officers and personal watercraft hire and drive operations.
- That a quality assurance program for all hire and drive operations be developed.

Evaluation

In 2010 Maritime Safety Queensland conducted state-wide audits of the 29 hire and drive personal watercraft businesses operating in Queensland. The audit closely scrutinised the sufficiency of existing safety management procedures and practices employed by hire and drive business operators to assess the competency of unlicensed personal watercraft riders. The audits were not covert but were unannounced visits.

The audit team focussed on how the providers' safety management plans were being applied to the actual operation of the business. A standard template for reporting the audit encompassing operational and administrative compliance to the *Transport Operations*

(*Marine Safety—Hire and Drive Ships*) Standard 2007 was used.

Only two of the 29 businesses were not audited as part of the 2010 audit program. One business on Magnetic Island that is not currently operating and one at Brampton Island Resort which was not visited due to location and time constraints.

Serious non-conformances with the *Transport Operations (Marine Safety—Hire and Drive Ships) Standard 2007* were detected in 26 of the 27 audits undertaken. The remaining business only had a minor non-conformance.

In response to the level of non-conformance detected by the audits, a letter was sent to all of the business operators on 20 April 2010 advising of Maritime Safety Queensland's concerns and the issues raised by the coroner.

Over 50% of the businesses were audited after the issuing of the letter and the level of non-conformance remained unchanged.

Preliminary regulatory options

Two key priorities from Maritime Safety Queensland's overall operational planning for 2010/11 are:

- develop a state-wide compliance strategy which focuses on a collaborative approach with our enforcement partners and incorporates joint operational planning by December 2010
- that incident, accident and compliance data is evaluated to inform delivery of regional safety culture development programs by September 2010.

Future regional compliance programs will reflect Maritime Safety Queensland's commitment to the coroner's recommendation and every personal watercraft hire and drive operation will be audited at least once in every 12 months of operation.

Enforcement guidelines

Coroner's recommendation:

- That Maritime Safety Queensland develops guidelines for all enforcement agencies to assess compliance with the *Transport Operations (Marine Safety—Hire and Drive Ships) Standard 2007* and facilitate the sharing of information between enforcement agencies.

Preliminary regulatory options

One of the Maritime Safety Queensland key priorities is to develop a state-wide compliance strategy which focuses on a collaborative approach with our enforcement partners and incorporates joint operational planning.

Since the incident that has given rise to the coroner's recommendations, Maritime Safety Queensland has established an enforcement guideline (in 2008) which is consistent with the compliance and enforcement policies of our safety regulator counterparts. A copy of the guideline is available on the Maritime Safety Queensland website at www.msq.qld.gov.au.

The enforcement guideline determines the enforcement action that will be taken in any given situation and, as far as possible, provide guidance on what behaviour will result in prosecution or other enforcement action.

By clearly defining the types of behaviour that demonstrate compliance with marine safety legislation, the enforcement guideline aims to ensure industry members and the wider boating community understand their obligations. This in turn will help to prevent the types of unintentional breaches that occur when people are unaware of or do not clearly understand their obligations. By identifying what is the most appropriate enforcement action in any given situation the enforcement guideline will ensure that public resources are allocated and used in an effective and efficient manner.

Hire and drive personal watercraft safety – feedback sheet

1. Do you support the mandatory licensing of all hire and drive personal watercraft riders?
 - Agree
 - Somewhat agree
 - Somewhat disagree
 - Disagree
2. Alternatively, should hire and drive providers assess the skills and abilities of each rider against a set competency standard?
 - Agree
 - Somewhat agree
 - Somewhat disagree
 - Disagree
3. Should a provider record the skills and abilities of each rider on a standard competency assessment sheet?
 - Agree
 - Somewhat agree
 - Somewhat disagree
 - Disagree
4. Should a provider terminate a hire if they believe a rider does not comprehend information given in a safety briefing?
 - Agree
 - Somewhat agree
 - Somewhat disagree
 - Disagree
5. Should engine governors limiting the power output or speed of hire and drive personal watercraft be introduced?
 - Agree
 - Somewhat agree
 - Somewhat disagree
 - Disagree
6. What speed should the engine governor limit the speed of a hire and drive personal watercraft to?
 - 20 knots
 - 30 knots
 - 40 knots
 - 50 knots
 - Other (please specify and state reasoning)

7. How long should existing hire and drive personal watercraft be allowed to continue operating without an engine governor?
 - Nil
 - 1 year
 - 2 years
 - 3 years
 - Other (please specify and state reasoning)

8. Should a provider's safety management plan comply with the new National Standard for Commercial Vessels Leisure Craft section?
 - Agree
 - Somewhat agree
 - Somewhat disagree
 - Disagree
9. Should Maritime Safety Queensland develop a model safety management plan that sets out the minimum industry standards that must be met by providers?
 - Agree
 - Somewhat agree
 - Somewhat disagree
 - Disagree

10. Are further exclusive-use zones needed similar to those implemented for hire and drive personal watercraft pens on the Sunshine Coast?

- Agree
- Somewhat agree
- Somewhat disagree
- Disagree

If you agree, where should these exclusive use zones be established?

11. Is there a need to reassess the location and safety of tour operations currently operating on crowded south-east Queensland waterways?

- Agree
- Somewhat agree
- Somewhat disagree
- Disagree

12. Should helmets be mandatory for hire and drive personal watercraft riders?

- Agree
- Somewhat agree
- Somewhat disagree
- Disagree

13. Should helmets be mandatory for all personal watercraft riders?

- Agree
- Somewhat agree
- Somewhat disagree
- Disagree

14. Are annual inspections needed for each hire and drive personal watercraft operation in Queensland?

- Agree
- Somewhat agree
- Somewhat disagree
- Disagree

15. Additionally, should a covert audit of each hire and drive personal watercraft operation occur annually?

- Agree
- Somewhat agree
- Somewhat disagree
- Disagree

16. Should a uniform set of guidelines to be used by all enforcement agencies in assessing compliance of hire and drive personal watercraft operations be published?

- Agree
- Somewhat agree
- Somewhat disagree
- Disagree

17. Which sector of the boating community are you part of?

- Hire PWC provider
- Hire PWC rider
- Recreational PWC rider
- Other waterway user

Any additional comments

Attachment A

Competency standard for the hire of personal watercraft

Introduction

This competency standard prescribes the skills and abilities that must be demonstrated to a provider by those who wish to use a hire personal watercraft in Queensland under the *Transport Operations (Marine Safety—Hire and Drive Ships) Standard 2007*.

The competency standard also prescribes the type and quality of evidence that must be seen by a provider before a personal watercraft is hired. It also gives hirers of a personal watercraft an accurate indication of the knowledge and skills necessary before a personal watercraft can be hired in Queensland.

As a condition of registration for each hire and drive personal watercraft in Queensland, Maritime Safety Queensland will require a provider to:

- (a) assess the skills and abilities of each driver to operate a personal watercraft in accordance with this competency standard
- (b) record the competency of each driver on the attached competency assessment sheet.

Relevant legislation

Section 84(2)(g) of the *Transport Operations (Marine Safety) Regulation 2004* exempts ships that comply with the *Transport Operations (Marine Safety—Hire and Drive Ships) Standard 2007* from the requirements for a person to be licensed to operate the ship. This Standard applies to hire and drive personal watercraft.

Section 13 of the Standard requires a provider to ensure a driver is appropriately licensed if the hire ship is operating:

- at night
- at speeds greater than 10 knots if unsupervised by the provider or tour guide
- beyond smooth waters if unsupervised by the provider or a tour guide
- when hire ships are towed away from the point of hire.

The dictionary of the Standard defines appropriately licensed, in relation to a driver of a hire and drive ship, as meaning the driver holds the licence or licences that the driver would be required to hold under section 95 of the *Transport Operations (Marine Safety) Regulation 2004* if the ship were a recreational ship. Valid licences to operate a personal watercraft are a recreational marine driver licence or a commercial marine licence (for example coxswain) plus a personal watercraft licence; or a current equivalent recreational boat and personal watercraft licence issued in another Australian jurisdiction.

Despite whether a driver is licensed, the Standard also requires that a provider must not allow a driver to operate a ship if the driver has insufficient skills or abilities. Section 9 of the Standard prescribes that the provider of a hire and drive ship must not allow the driver of the ship to operate it unless:

- (a) the provider has reasonable grounds to believe that the driver has the skills and abilities necessary for the driver to operate the ship safely, while it is hired, having regard to the ship's size, type, propulsion power and intended area of operation
- (b) the driver has given the provider a written declaration stating that to the best of the driver's knowledge, the driver has no medical condition that makes the driver unable to operate the ship safely.

Section 10 of the Standard requires a provider to ensure a driver is briefed on a prescribed list of matters about the safe operation of the ship before a driver operates the ship. The briefing must include a practical demonstration of the handling of the ship while it is underway, unless the provider considers on reasonable grounds that the practical demonstration is unnecessary having regard to the driver's skills and ability to operate the ship safely.

The practical demonstration must include a demonstration of the use of

- (a) the ship's safety equipment
- (b) the ship's steering and emergency steering
- (c) starting and operating the motor and what to do if the motor does not start.

The provider of the ship must give the driver a summary of the action to be taken under the ship's safety management plan in an emergency.

The briefing shall be in the English language, unless agreed otherwise between the provider and the driver. If, in the opinion of the provider, any of the riders fail to comprehend the information delivered at the briefing, the provider must terminate the hire.

Example:

- The driver does not have an adequate command of English and a suitable translator is not available.
- A driver does not pay adequate attention to the briefing or fails to take the risks seriously.

The briefing must be given by a person who has sufficient experience and knowledge to give an adequate briefing and holds at least a recreational marine driver licence and a personal watercraft licence. If the person providing the briefing has given less than 100 briefings, the briefings must be overseen by a person who has given 100 briefings, or has at least a restricted coxswain licence and a personal watercraft licence.

The provider of the ship must ensure a written record is made and signed by the provider, the driver and the person who gave the briefing containing the following information:

- (a) date and time the ship was hired
- (b) period for which the ship is hired
- (c) date and time of the briefing of the driver of the ship under section 10 of the Standard
- (d) full name and address of the driver
- (e) full name of, and licences held by, the person who gave the briefing

- (f) number of persons intended to be on board the ship while the ship is hired.

The provider must keep the record for at least one year after it is made.

As mentioned above, the licensing exemption is only applicable if the ship is being operated and used in accordance with all of the provisions of the Standard. Otherwise, an unlicensed person may only operate a hire personal watercraft provided a suitably licensed driver is on board and able to take immediate control. An unlicensed person may not, under any circumstances, operate a vessel which is towing a person, for example, in activities such as waterskiing, parasailing, tobogganing and the like.

A competency standard defines underpinning knowledge and skills required to competently perform a task. To do this it states the task and evidence that is required to be demonstrated for a person to be deemed competent. It also states the standard of performance that is required to show competence. The standard below shows the task that must be demonstrated satisfactorily and the evidence that must be observed by the provider.

In all cases the hirer is to demonstrate their ability to do the things shown in the performance criteria. The provider is to verify that they have seen the hirer demonstrate these tasks by placing a tick in the corresponding box for each performance criteria.

The assessment is to be verified by the hirer by signing and dating the attached assessment form. The assessment form is in two parts. Basic competencies are the competencies that a hire personal watercraft driver must possess to operate a personal watercraft in a supervised restricted area (pen). Advanced competencies are the competencies that a hire personal watercraft driver must possess to operate a personal watercraft in a supervised tour.

Hire of a personal watercraft is conditional upon the hirer being found competent in all relevant performance criteria. If all relevant performance criteria are not satisfactorily met by the driver, the personal watercraft will not be hired to the driver.

Annex A: Personal watercraft hire and drive

Location: _____ Hire date/time: _____ Expected return:: _____ : Actual return: _____

Driver's name: _____ Age: _____ Emergency contact: _____

Address: _____ Phone: _____

Licence(s): **RMDL/PWC/Coxswain/Rd vehicle** (circle) number(s): _____ Expiry: _____

Hired personal watercraft registration: _____ Max passengers: _____ (including driver)

Passenger(s) name: _____ Age: _____ Passenger(s) name: _____ Age: _____

Passenger(s) name: _____ Age: _____ Passenger(s) name: _____ Age: _____

Pen operations – basic competencies	Competent Yes ✓ No ✗	Tour operations – advanced competencies	Competent Yes ✓ No ✗
Identifies main parts of a personal watercraft and its equipment		Aware of reefs, anchorages and other hazards to navigation	
Wears and operates lifesaving appliances correctly		Aware of coral visibility conditions	
Safety lanyard attached to hirer		Maintains required distance in tour	
Understands person in water signal		Aware of relevant collision regulations	
Start, stop, use kill switch and throttle		Min depth to prevent engine sand damage (600 mm for example)	
Smooth and controlled departure		Identifies potential hazards	
Steer at slow speed and reverse (if fitted)		Corrective procedures for hazards	
User operates at six knots		Righting a capsized personal watercraft	
User operates at speed		What to do if there is a fire	
Stop alongside a floating object		What to do if you come off	
Determine a distance of 60 metres		What to do if you collide	
Crosses wakes/wash at safe speed		What to do if you lose power	
Maintains situational awareness, safe speed and lookout		What to do on grounding or stranding	
Steering (lack) in off-throttle situation		What to do in severe weather	
Makes allowance for traffic conditions		Respond to medical emergency	
Performs signal to gain assistance		Can initiate rescue from tour operator	
Provider to retain this form for 12 months from the date of the hire agreement.			

Briefer

I delivered a safety briefing as required, gave a demonstration and observed the driver perform the competencies above.

Signed: _____ (Briefer) Briefer's licence: _____ Date: _____

Driver

I have no medical condition that is likely to affect my ability to operate a personal watercraft. I received and understood the safety briefing, personal watercraft demonstration and performed the required basic/advanced competencies.

Signed _____ (Driver) Date: _____

Provider

I provided this personal watercraft to this driver in accordance with the terms of the safety management plan.

Signed: _____ (Provider) Date: _____