



# Boat Insurance - Friend or Foe? An Update

by VINCENT T. PICA, II

Division Captain, Division 18 (ISR) - United States Coast Guard Auxiliary



When I first wrote about this subject (see SSP, "Boat Insurance - Friend or Foe?", 2/28/07), I received some good feedback. But recently, one of our students in a boating safety class related that, in line with our article on how most boats sink at the dock, (see SSP, "The Dangerous Dock", 12/6/06), the cost of the environmental clean-up was \$12,000! So, it makes some sense to reprint the article with an added advisory.

### To File or Not to File

Most of us are familiar with insurance from owning a car. I don't know about you but the fear of "assigned risk" and massive spikes in the cost of annual insurance premiums keeps me from putting in for anything on my car unless an asteroid landed on it and totaled the car. How does that translate into boat insurance and, unlike your car where it is mandated by state law that you must have it, do I need it?

As noted above and via a prior column, most boats that do sink do so right in their slip or out on their moorings. Insurance premiums for such losses can run from a couple of hundred dollars a year to thousands, depending of course on the value of the boat and the electronic package that it carries. It makes sense, to me at least, to protect that open-bow 19' Seahunt with the 150hp Merc on her transom, (worth \$20m when you bought her) for a couple of hundred dollars a year, just in case.) Also, as you read in a prior column on (see SSP, "Hard Aground - What Now", 11/1/06), you just might need towing and insurance covers that for a relatively small amount - say \$100 a year.

Why protect that bow rider if you really take great care to ensure that all the through hulls are supple, that the battery is well maintained and all the scuppers are kept clean? Well, if you can

assure yourself of such caring attention, maybe it is worth booking the bet. Put the \$250 you would have spent in a coffee can and save it year after year. You won't get to \$20,000 in your life time but it wouldn't be the worst thing to take \$1,000 out of that coffee can one day and buy a new GPS with a big color screen for the boat... (Did I say that you and the boat are getting older and that small black-and-white GPS is going to be impossible to see one day...?) But, from a personal experience, I had a neighbor's boat break off its mooring during the nearly month-long nor'easter we had in October of 2005 and it sent down on my very well maintained 25' Chris Craft launch. She sank in seconds on her mooring. It took 4 days for the storm to abate enough for my commercial tower to be able to raise her. Insurance company didn't need too much convincing that I wasn't derelict in maintaining the boat. It also helped that I told the truth on the application when I said it would be on a mooring and not fast to a dock at a marina...

But what if it had just sunk on her mooring because the scuppers got clogged with leaves and, eventually, she filled with water from rain and sank as the battery drained down to nothing...? BTW, if doesn't have to rain much. Just enough to have the boat sit lower in the water than she was designed for. Then, wind-driven wave action can ship some water aboard - causing your pride and joy to sit even lower! A vicious cycle, leading to a sinking... Any insurance company is going to look at such facts and consider assigning some blame to you... Translation? Less than full book value.

How about if the wire running from the battery to the bilge pump was found to have been chafed? Not enough to short out (which you might catch a number of ways (such as the circuit breaker trip-

ping)) but enough to reduce the juice driving the 1,000gph bilge pump to a trickle... When the insurance company's surveyor finds that, they will assign some amount of blame to you for not properly maintaining your boat... Translation? Less than full book value.

Look, if you deal with the major insurance carriers, their staffs are generally well-trained and they are not out to cheat you. But they aren't Santa Claus either. If the facts are friendly, you will get what you paid for and you will get it with a smile. When my 25' was sunk, for the first 24 hours I was walking around like I had lost a puppy or worse. Then, I said to myself, "It is time for a new boat. Thank God this is only a money issue." And the insurance company was fast with the settlement, with a smile.

However, if you haven't been giving your maritime baby the caring she needs, or ensuring that she is getting it from the dock master, you will find that the kindly insurance adjuster can be as cold as a January arctic blast across Moriches Bay. They are neither your friend nor your foe.

They are your insurance company. Give your vessel good care and attention. Let the facts always be friendly.

But check out whether you are covered for environmental damages like fuel spills associated with the sinking... and thanks to Ed Wanamaker, Flotilla Commander of USCG Auxiliary Flotilla 18-06, for bringing the fuel spill question to the fore!

BTW, if you are interested in being part of USCG Forces, email me at [JoinUSCGAux2009@aol.com](mailto:JoinUSCGAux2009@aol.com) or go direct to Lisa Etter, who is in charge of new members matters, at [F50-PS@emcg.us](mailto:F50-PS@emcg.us) and we will help you "get in this thing..."

## COUNTY MOVES TO JOIN MARINE FISHING LICENSE LAWSUIT



Suffolk County Legislator Ed Romaine

Through a resolution sponsored by East End Legislator Ed Romaine, the Suffolk County Legislature has approved a move to join the marine fishing license lawsuit initiated by Southampton, East Hampton, and Shelter Island.

In an 18-0 vote, the legislature approved legislation directing the Suffolk County Department of Law to study the feasibility of intervening in the lawsuit against the New York State Department of Environmental Conservation.

The new license and fee, which is estimated to pour \$4 million per year into state coffers, went into effect on October 1st. However, because of the lawsuit, the license is unenforceable in many of Suffolk's towns.

"Albany cannot balance its budget on the backs of Long Islanders," said Legislator Romaine. "While there are 62 counties in New York and the license would apply statewide, it is safe to assume not many residents of landlocked upstate counties are fishing in the ocean."

The Dongan Patents, issued by colonial governor Thomas Dongan in 1686, granted control of town waterways to town trustees in perpetuity. The institution of a state marine license violates the Dongan Patents.

"Dongan granted each town very specific powers, which have repetitively been upheld by the courts," added Romaine. "This new license provision clearly tramples on the sovereign powers of town trustees."

"The United States is known throughout the world as 'the land of the free,'" said Comptroller Joe Sawicki. "Thanks to Albany, Long Island is now known as 'the land of the fee.'"

As a member of the New York State Assembly in 1984, Mr. Sawicki led the charge that blocked the creation of a similar marine fishing license. At the time, the County Legislature adopted a memorializing resolution in support of the now-comptroller's actions.

"Between the MTA payroll tax, increased DMV fees, the elimination of the STAR rebate program, new fishing fees, when will enough be enough for Albany" questioned Legislator Romaine.

The bill now goes to the County Executive for his signature.

### Tides for Moriches Inlet starting with December 9, 2009

Day	High/Low	Tide Time	Height Feet	Sunrise/Sunset	Moon Time	% Moon Visible
Wed. 9	High	12:22 AM	3.0	7:04 AM	Set 12:07 PM	51
9	Low	6:27 AM	0.2	4:23 PM		
9	High	12:34 PM	2.9			
9	Low	7:01 PM	-0.1			
Thu. 10	High	1:19 AM	3.0	7:04 AM	Rise 1:04 AM	40
10	Low	7:35 AM	0.2	4:23 PM	Set 12:32 PM	
10	High	1:31 PM	2.7			
10	Low	7:57 PM	-0.1			
Fri. 11	High	2:16 AM	3.1	7:05 AM	Rise 2:13 AM	29
11	Low	8:36 AM	0.1	4:24 PM	Set 1:00 PM	
11	High	2:31 PM	2.7			
11	Low	8:49 PM	-0.1			
Sat. 12	High	3:12 AM	3.2	7:06 AM	Rise 3:21 AM	20
12	Low	9:31 AM	0.1	4:24 PM	Set 1:30 PM	
12	High	3:30 PM	2.6			
12	Low	9:37 PM	-0.1			
Su n. 13	High	4:05 AM	3.3	7:07 AM	Rise 4:28 AM	12
13	Low	10:22 AM	-0.1	4:24 PM	Set 2:05 PM	
13	High	4:26 PM	2.6			
13	Low	10:24 PM	-0.1			
Mon. 14	High	4:54 AM	3.3	7:08 AM	Rise 5:32 AM	6
14	Low	11:10 AM	-0.1	4:24 PM	Set 2:47 PM	
14	High	5:16 PM	2.6			
14	Low	11:09 PM	-0.1			
Tus. 15	High	5:38 AM	3.3	7:08 AM	Rise 6:32 AM	2
15	Low	11:56 AM	-0.1	4:24 PM	Set 3:35 PM	
15	High	6:02 PM	2.7			
15	Low	11:54 PM	0.0			
Wed. 16	High	6:20 AM	3.3	7:09 AM	Rise 7:26 AM	0
16	Low	12:40 PM	-0.1	4:25 PM	Set 4:29 PM	
16	High	6:45 PM	2.6			
Thur. 17	Low	12:38 AM	0.1	7:10 AM	Rise 8:11 AM	0
17	High	7:00 AM	3.2	4:25 PM	Set 5:27 PM	
17	Low	1:22 PM	-0.1			
17	High	7:27 PM	2.6			
Fri. 18	Low	1:19 AM	0.1	7:10 AM	Rise 8:50 AM	1
18	High	7:40 AM	3.2	4:25 PM	Set 6:28 PM	
18	Low	2:01 PM	-0.1			
18	High	8:09 PM	2.5			
Sat. 19	Low	1:58 AM	0.2	7:11 AM	Rise 9:22 AM	5
19	High	8:20 AM	3.0	4:26 PM	Set 7:29 PM	
19	Low	2:38 PM	0.0			
19	High	8:52 PM	2.4			