



National Marine Manufacturers Association

February 3, 2023

Joanna Manger
Director General, Marine Safety and Security
Transport Canada
700 Leigh-capreol Place
Dorval, Quebec H4Y 1G7

Delivered via e-mail: joanna.manger@tc.gc.ca

Dear Ms. Manger,

On behalf of the National Marine Manufacturers Association (NMMA) Canada, I am pleased to share feedback on Transport Canada's proposed updates to the Vessel Operation Restriction Regulations (VORR).

NMMA Canada is the leading trade association representing boat, marine engine, and accessory manufacturers at the national level. The recreational boating industry contributes \$5.6B to Canada's GDP annually and supports over 75,000 jobs. Our association helps ensure that Canadian marine businesses are empowered to succeed and that millions of Canadian families can have a safe and enjoyable experience on the water. We have strong data that show the outdoor recreation economy – and especially boating and fishing – have played a big role in supporting peoples' health and wellbeing during the global pandemic.

Our industry shares the government's aim of "keeping boaters and the marine community safe, while protecting our coasts and contributing to economic development." At the same time, we are conscious of proposed regulations that could unduly restrict boating access and hurt local marine and tourism businesses. Two proposed changes are of particular concern:

1. **Modification to subsection 2(4) by removing the criteria of it only applying to public parks and controlled access bodies of water.** This would effectively expand the scope of powerboating bans or restrictions to include all lakes and waterways. As the consultation document states: "This will allow more local authorities to set engine power rules for their bodies of water." NMMA Canada is unclear on the rationale for this expansion. Coupled with proposals to curtail wake boating and restrict engine noise, recreational boating is facing considerable new regulatory burden. Boating is a pastime enjoyed by millions of Canadian families, along with RV'ing, snowmobiling, and other outdoor recreational pursuits; yet these industries do not appear to be contending with this level of regulation. We understand the government's desire to use a consistent approach, but we urge Transport Canada to carefully weigh the impact of new regulations on local economies and jobs.

- 2. Introduce a new schedule for wake surfing restrictions.** NMMA Canada supports common-sense regulations on wake boating and wake surfing. However, singling out wake boating and delegating regulatory powers to municipalities could cause serious administrative and enforcement problems. There are over 400 municipalities in Ontario alone; enabling local authorities across Canada to set their own restrictions could create an inconsistent patchwork of rules that would be challenging to enforce.

As this responsibility falls within federal jurisdiction, we would urge Transport Canada to work with the provinces and territories and marine stakeholders to harmonize regulations and ensure a uniform approach. A good example is a [recent bill passed by the State of Tennessee](#), which NMMA and the waterski industry association were involved in. The bill contains measures such as restricting wake surfing during the night; on bodies of water less than 50 acres in size; within 200 feet of a shoreline; plus a requirement to wear a personal floatation device.

Finally, NMMA Canada notes concerns with other Transport Canada proposals under development that would further restrict boating. For example, the department has previewed amendments to the *Canada Shipping Act* that would allow the minister to issue orders for up to two years pertaining to speed limits, days and hours of operation, and prohibiting some sporting or recreational activities – bypassing the normal regulatory process and required public consultations. As well, the department has signalled its intent to “(widen) the types of available restrictions” allowed through regulations.

NMMA Canada and our industry partners enjoy a strong relationship with Transport Canada and other federal departments. We share the goals of ensuring boaters have a safe and enjoyable experience on the water; protecting our natural environment; and growing local economies and jobs. However, we find worrisome the recent trend of legislative and regulatory changes that target recreational boating. We are eager to collaborate with the government on an approach that accounts for stakeholder concerns while ensuring recreational boating can thrive and grow. We would request a meeting with Transport Canada officials to explore these ideas further.

Sincerely,



Jim Wielgosz
Interim Executive Director
NMMA Canada