	Page 1			
4				
1	Delaware Department of Natural Resources and			
2	Environmental Control (DNREC)			
3	Division of Fish and Wildlife			
4	Public Hearing: Proposed Boating Regulation			
5	Amendments (7 DE Admin. Code 3100)			
6				
7				
8	Docket No. 2025-R-F-0009			
9				
10				
11	Moderated by Lisa A. Vest			
12	Wednesday, October 22, 2025			
13	6:00 p.m.			
14				
15	Remote Proceeding			
16	DNREC Office of the Secretary			
17	89 Kings Highway			
18	Dover, DE 19901			
19				
20				
21	Reported by: Carlo Florio			
22	JOB NO.: 7643622			
23				
24				

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1	APPEARANCES
2	List of Attendees:
3	Drew Aydelotte, DNREC, Division of Fish and
4	Wildlife
5	Westley Look, DNREC Intern (by videoconference)
6	John McDerby, DNREC (by videoconference)
7	Kyle, Public Observer (by videoconference)
8	Brandi, Public Observer (by videoconference)
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			Page 3
1		EXHIBITS	
2	NO.	DESCRIPTION	ID/EVD
3	Exhibit 1	Start Action Notice #2025-05	25/26
4	Exhibit 2	Register Notice SAN #2025-05	
5		and Proposed Amendments	25/26
6	Exhibit 3	Regulatory Flexibility	
7		Analysis/Regulatory Impact	
8		Statement	25/26
9	Exhibit 4	Public Notice of Hearing as	
10		Published on the DNREC	
11		Website on 10/01/2025	25/26
12	Exhibit 5	Notice of Public Hearing as	
13		It Appeared on the Delaware	
14		Public Meeting Calendar on	
15		10/02/2025	25/26
16	Exhibit 6	Affidavit and Legal Notice	
17		Published in the Daily State	
18		News on 10/01/2025	25/26
19	Exhibit 7	Affidavit and Legal Notice	
20		Published in The Wilmington	
21		News Journal on 10/01/2025	25/26
22			
23			
24			

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1		EXHIBITS (Cont'd)	
2	NO.	DESCRIPTION	ID/EVD
3	Exhibit 8	Notice of Intent to Revise	
4		Regulations as It Appeared o	n
5		the Division of Fish and	
6		Wildlife and Natural	
7		Resources Police Facebook	
8		Pages, 10/02/2025	25/26
9	Exhibit 9	DNREC Public Hearing	
10		Presentation	25/26
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1 PROCEEDINGS

2.0

THE HEARING OFFICER: Let's go ahead and start the proceedings tonight. I want to thank everybody who took the time out of their busy schedules to attend.

The date is Wednesday, October 22, 2025, and we are here this evening to provide the platform for DNREC to conduct its virtual public hearing regarding the department's proposed boating reg amendments.

For those of you that may not know me, my name is Lisa Vest, and the DNREC secretary has designated me to serve as hearing officer for tonight's proceedings.

I have a few introductory remarks, after which time I will be turning the floor over to department personnel. They have a very brief presentation that they wish to offer the public. It will be incorporated into the record that is being generated in this regulatory matter

FYI, the presentation will be posted in its entirety on the hearing webpage that's dedicated to this particular matter. There's a lot of information in that PowerPoint that talks about what

it is that the department is proposing to do, so I would encourage the public to go check it out.

It is on the DNREC website under "Admin. Law." And if you go under the "Admin. Law" tab and scroll down to "Public Hearings," the boating reg amendments matter is the very first one. So, again, I would encourage the public to check that out.

We do have a court reporter here this evening. They will prepare a verbatim transcript of the hearing tonight, and, as always, that transcript will also be posted on the hearing page. We'll get that up there as soon as we receive it. And, again, I would encourage everybody to read that for their benefit.

Before we go any further, it's important to set the parameters for tonight's proceeding. Again, the purpose of this hearing is to build the record to provide the formal legal platform for the public to learn about the proposed boating reg amendments and to gather comment if any are given to us by the public in this matter.

The community concerns regarding all of our regulatory matters are extremely important to DNREC, and that's one of the main reasons why we hold

these hearings so that the public can be advised of these proposed actions that the department wishes to take and to provide a platform where the public can submit their comments if they wish to do so.

2.0

I should also note that whether the comments came in prior to tonight or whether they come in following tonight's proceedings, all comment bears the same weight. And as long as it is related to the subject matter of tonight's hearing, they all will be incorporated into the record, and the comments will also be posted on the hearing page. So all things concerning this proposed matter can be found on the hearing page.

I do want to go through a couple protocols, and after that, I will turn the floor over to the department personnel.

Number one, all comment received must be limited solely to the subject matter of tonight's hearing. Again, all comments that we receive concerning this matter will be incorporated into the formal record and posted on the hearing page dedicated to this matter.

Number two, in order to ensure that everyone who wishes to offer comment for the

secretary's consideration is accommodated, the record is not going to close at the conclusion of tonight's proceedings.

2.0

Instead, the record will remain open for an additional 15 days following the hearing tonight, and members of the public can feel free to submit any kind of comments that they want regarding this matter all the way up through November 6th.

And, again, whether it would come in tonight, whether it came in before tonight, or if it comes in on the afternoon of November 6th, it all bears the same weight.

Number three, there is only one authentic record of this proceeding, and it will be the official court reporter's transcript. And, again, that'll be posted on the webpage as soon as we receive it.

Number four, the statutory purpose of the hearing tonight is to build the record with regard to this matter. The formal record, which consists of the transcript of this hearing, any and all written comments which the department may receive between now and November 6th, all exhibits that the department enters into the record this evening, and eventually a

report summarizing all of those things will be gathered and reviewed by Secretary Patterson, and he will use that to form his decision regarding this regulatory matter.

And lastly, it is important to note that no decision has already been made concerning this proposed promulgation, nor will any decision be made tonight. Again, we are here just to say this is the platform.

You're going to hear a lot about what these proposed amendments are and, again, reminders throughout the proceeding tonight that all of this information that you'll see tonight will be available to view on the hearing page dedicated to this matter.

That being said, I am going to now turn the floor over to department staff for their brief presentation.

So, Drew, you can take it away.

MR. AYDELOTTE: Great. All right.

Thank you.

2.0

First of all, thank you, everyone. My name is Drew Aydelotte, and I'm a major with Delaware Natural Resources Police, Fish and Wildlife Unit. And before I get started, I just want to take a moment and

especially thank a few people, a few -- few members of my staff.

First and foremost, captain Joshua

Hudson. He oversees our boating education office and
has done an exceptional job of contributing to these
proposed amendments.

Also, our senior office manager, Randy Besecker [ph], just a catch-all as far as helping out with the boating education program and then also helping out overall with our law -- law enforcement program.

And finally, I'd like to -- I'd like to especially thank our program license coordinator, Dawn Coburn, who oversees our boat registration office and commercial licensing for her contributions to these proposals.

I also want to take a moment and thank Lisa Vest, our hearing officer tonight, as well as Michelle Jacobs and Mike Mahaffey [ph] for all their support. Thank you.

My contact and resource information are listed on the PowerPoint, and I will show this at the end of my PowerPoint also.

So our agenda tonight. First is a

welcome and introduction, which I provided. Next is our purpose of the proposed amendments. Next, I'll speak to the background and provide our statutory authority for the regulatory development part of this.

2.0

We'll go over a review of the proposed amendments. I'll speak to the key impacts we anticipate with these changes. And I'll go over where we're currently at in the regulatory process.

The purpose of the amendments. First and foremost, we -- we're trying to align our regulations with the updated federal requirements.

We're here also here to clarify definitions and reduce ambiguity for -- for regulated parties.

We're here to modernize our procedures to reflect current best practices. And with these amendments, we want to enhance public health, safety, quality outcomes. And finally, we want to streamline compliance and reduce the overall administrative burden to our staff.

The background and statutory authority.

The current regulation that's being proposed for amendment is Title 7, Delaware Administrative Code 3100. And this was last amended in April of 1999, so, yes, this is over two decades old before we've had any

1 changes.

2.0

2.2

The governing statutory authority that we've used for this regulatory process can be -- is -- is found under Title 23 of Delaware Code,

Section 2114. The reference material for the federal side of things that we used was 33 CFR and

46 U.S. Code.

Mandates. The mandates for review and amendments. On February 10th of this year, the United States Coast Guard Boating Safety Division completed a program review of Delaware State Recreational Boating Safety Program. This review is used to help monitor if a state follows specific elements of applicable federal law and regulations, including what I just spoke to, Title 46 USC and 33 CFR.

Deficiencies at that time were noted in the state regulation elements of the Delaware State RBS Program, Recreational Boating Safety Program, and required us to -- to conduct corrective actions. So a large majority of our amendments to the boating regulations are based on a response to those deficiencies.

Before I dive into the proposed amendments, I wanted to make the public aware that

Page 13

- 1 | there's a substantial amount of formatting and style
- 2 adjustments that were made throughout the regulation.
- 3 These changes are not substantive and do not change
- 4 | the intent of the various regulations.
- There was a lot of indentations, a lot of numbering changes, a lot of capitalizations, and so forth. So I just wanted to make sure the public was
- 8 aware of those changes.
- 9 THE HEARING OFFICER: Drew, I'm sorry.
- 10 I'm going to interrupt you. Do you realize that your
- 11 | PowerPoint is not forwarding?
- MR. AYDELOTTE: It's not forwarding?
- 13 THE HEARING OFFICER: No. At least on
- my side, it's still stuck on the public hearing page,
- 15 | the very first one.
- MR. AYDELOTTE: It's showing Slide 6
- 17 | for me.
- 18 THE HEARING OFFICER: Okay.
- 19 MR. LOOK: I'm not seeing it forwarding
- 20 either.
- MR. AYDELOTTE: Okay. You want me to
- 22 | stop sharing and try to reshare it?
- THE HEARING OFFICER: Yeah. Sorry to
- 24 do that. I'm not trying to break your rhythm or

	Page 14
1	anything.
2	MR. AYDELOTTE: That's all right. No.
3	I was thinking it was working. Stand by.
4	THE HEARING OFFICER: It just may be a
5	little glitch.
6	MR. AYDELOTTE: Okay.
7	THE HEARING OFFICER: Worst case
8	scenario, the whole thing is going to be posted on the
9	hearing page, so if we can't get it to forward, people
10	can look at it at their leisure.
11	MR. AYDELOTTE: All right. Stand by.
12	THE HEARING OFFICER: Okay. You're
13	back up.
14	MR. AYDELOTTE: Okay.
15	THE HEARING OFFICER: See if it'll
16	forward for you.
17	MR. AYDELOTTE: Stand by.
18	MR. LOOK: I think since you're showing
19	the original PowerPoint page, when you hit the the
20	"Slideshow Present," it doesn't go to the
21	presentation. I think that's what might be happening.
22	MR. AYDELOTTE: Okay. Still not
23	showing?
24	THE HEARING OFFICER: You're still on

where I left off. I was speaking to the grammar and

24

style and formatting changes that you'll find throughout this regulation.

2.0

Again, we last amended these regulations over two decades ago, so a lot has changed as far as the formatting and style, a lot of indentations, capitalizations, numbering that are throughout the entire document. So I just wanted the public -- to make sure the public was aware of that going into this.

Okay. Now I want to go into detail the changes that are for each of the sections that are applicable to this.

So the very first section I want to speak to is section 1.0, which is the general -- it's -- it's titled "General." So this section updates terminology, and this is done, again, throughout the -- the regulation itself.

So the term "natural resources police officer" replaces "enforcement officer." This is done to ensure consistency with our official title for the department's law enforcement personnel, and this clarifies our jurisdiction and reinforces the authority of the natural resources police and the enforcement and compliance actions related to these

1 regulations.

2.0

2.0 dives into a definitions section.

And this -- this section underwent a substantial amount of modernization to match federal language based on 33 CFR and 46 USC updates.

New terms were added, which included the "engine cut-off switch." We commonly call it "ECOS." It's a safety device that stops the engine if the operator's ejected, and I'll speak to this a little bit further down in our later sections.

We also added a definition for "ECOS Link," which is the engine cut-off switch link. This is a physical or wireless connection between the operator and switch.

We also added or changed -- or I should say updated the terms for "wearable PFD" and "throw PFD," and this just replaces the outdated typings for the manufacturer codes for life jackets.

Several definitions were also clarified. "State of principle operation" and the term "vessel" were all updated to align Delaware's terminology with national registration standards.

Overall, these changes bring Delaware's definitions into compliance with modern federal

terminology and boating safety standards.

2.0

Section 3.0 is primarily dealing with our vessel registration and numbering, and this section modernizes and expands vessel registration requirements and data collection. So what we did here was add new fields in the certificate of number, which we commonly call the "CON."

And this is in the application itself, including vessel use, which we're talking about commercial, charter, and fishing. We also went into the hull material covering rubber, vinyl, and canvas, and propulsion types, drive types, and fuel types. These were all modernized to incorporate federal definitions as well.

We also updated the descriptions for vessel types, so this is what I'm speaking to is airboats, houseboats, inflatable boats. These were all added to the application process's proposals.

We also proposed to remove the requirement to list the social security number as a requirement on the application. Owners under the proposal would only now provide a tax -- tax ID number, a date of birth with driver's license, or some other unique identifiers such as a passport.

The certificate, or your registration that you carry on a vessel, was also updated to allow for not only a hard copy, but also a proposed digital version. And if the hard copy was still being carried, there's also a change in the size of the card to being a pocket-size requirement. This is all a proposal.

2.0

These updates to the numbering and display ensure consistency with the United States

Coast Guard's numbering system. These changes improve our data accuracy, engage -- or enhance our digital accessibility, and align Delaware's registration processes with federal standards.

Section 4.0 is our casualty reporting section. This section significantly strengthens accident and casualty reporting requirements. So the reporting damage threshold was proposed increased from five hundred to two thousand dollars which is consistent with federal reporting requirements.

We also added a proposal for an immediate notification to law enforcement when a vessel causes property damage and the property owner cannot be immediately located. Together, these changes ensure quicker response times, improve data

accuracy for accident statistics, and enhance overall public safety on Delaware waterways.

2.0

Section 5.0. This is water skiing.

Updates -- our proposal is to update the list of prohibited skiing areas -- water skiing areas to reflect current safety and navigational priorities.

The Chesapeake and Delaware Canal, commonly known as a "C&D," has been added to the restricted list joining existing no-ski zones such as Rehoboth Lewes Canal and the Indian River Inlet.

These updates were based on increased vessel traffic, confined waterways, and safety concerns. Overall intent with this proposed change is to reduce collisions, reduce property damage, and -- and injury in high-traffic waterways.

6.0 deals with our vessel speeds. Here we proposed introduction of a new slow, no-wake requirement when, within 100 feet of any law enforcement or emergency vessel displaying activated lights, red and blue lights, or fire companies with blue lights.

This reinforces operators must maintain a safe and controllable speed at all times based on the conditions, vessel traffic, and visibility. This

amendment improves the safety of our first responders during rescue and enforcement operations and reduces potential wake-related damage or accidents.

2.0

9.0 is our minimum required equipment for vessels. This is one of the most extensive updates to our regulation -- our proposed regulations, and we were looking to modernize the safety equipment standards to align, again, with United States Coast Guard requirements.

The first proposal was for fire extinguishers. We proposed updating the label terminology from the old typing codes such as the B-1, Type B-2, and so forth, with the new manufacturer's terms of 5-B, 20-B, or 160-B.

We added -- the proposals are for adding details on acceptable maintenance conditions, pressure gauge requirements, and replacements of obsolete units.

Personal flotation devices, or PFDs, again, as I spoke to in the definitions section, we're proposing replacing the typing codes for personal flotation devices and adding in more simplified terms recognized by the U.S. Coast Guard and manufacturers, those terms being "wearable," meaning worn on the

body; and "throwable," being thrown to a person in the
water. This replaces our typing like Type 1, Type 2,
Type 3, and Type 4.

2.0

9.4 is our ECOS, or engine cut-off switch requirement. The proposal establishes a new rule making -- new rule mandating the use of engine cut-off switch lengths for all vessels under 26 feet capable of developing 115 pounds of thrust or 3 horsepower while on plane or reaching above a slow, no-wake speed.

There are exceptions provided or proposed for enclosed-helm vessels and older vessels not originally equipped with an ECOS.

At this time and for the record, I wanted to note a correction to 9.4 that we intend to adjust before final regulations are published, and it specifically focuses on the exemption.

And it reads in 9.4, "This regulation may not apply if the main helm of the vessel is installed," and it should read, "within an enclosed cabin." So we'll be striking "with," adding "within," striking the word "and," and adding the word "an."

These updates address modern vessel terminology, improve enforcement consistency, and

promote accident prevention through better equipment standards.

2.0

Section 10.0 will be the last section I speak to tonight, and that's on the boat ramps and parking lot areas of division-owned property.

This section, the proposal is adding clarity to parking regulations for division-owned properties. It expands the list of items that cannot be left unintended for more than 48 hours without prior authorization from the natural resources police. This is including vessels along with trailers and vehicles.

This amendment helps prevent congestion, abandoned equipment, and misuse of limited parking resources at state owned boating facilities.

Okay. Now I just want to summarize the key impacts that we anticipate if these proposals are finalized. These amendments, again, modernize Delaware's boating regulations for the first time in over two decades.

They strengthen safety requirements for recreational and commercial boaters. They simplify and modernize registration processes and record keeping, improve alignment with Coast Guard standards,

ensuring reciprocity across state lines, and finally, they enhance law enforcement capabilities through clearer authority and updated reporting thresholds.

The outcome is a safer, more efficient, and more user-friendly regulatory framework that supports both the boating community and our first responders.

I'll just give a brief overview of our regulatory process to date. First -- first action, the Start Action Notice underwent a division director's review and received the secretary's signature.

The deputy attorney general from the environmental unit and the civil division of the department of justice conducted a legal review of the draft regulations. The department deputy secretary reviewed and approved the draft regulations.

Legal notice advertising. The public hearing was made available on the DNREC website, the public meeting calendar, and published in both the Wilmington News Journal and the Daily State News.

The proposed regulations, the register's notice, and the regulatory flexibility analysis and impact statement were published in the

Register of Regulations. And tonight, we're holding a public hearing in reference to the proposed regulation changes.

2.0

I have attached -- I have included on PowerPoint nine exhibits that will be made available for the public through the public hearing website that I'll provide another link to on my final slide.

(Exhibits 1 through 9 were marked for identification.)

MR. AYDELOTTE: Again, this is my contact information, my email, my phone number. As the hearing officer indicated, any comments made directly to me should not be made directly to me if they're -- if they want it on the public record. To access the documents, I've included the website below.

And that concludes my presentation.

THE HEARING OFFICER: Great. Thank you so much, Drew. Just a little housekeeping for the benefit of the record. The slide that showed the nine exhibits that the department is proposing to enter into the record, are they the same nine exhibits that were posted on the hearing page?

MR. AYDELOTTE: Yes, ma'am, they are.

THE HEARING OFFICER: And have they

No.

1 been changed or altered in any way?

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MR. AYDELOTTE: No, they have not.

THE HEARING OFFICER: Excellent. Let the record reflect that Exhibits 1 through 9 as identified both in the PowerPoint slide just presented as well as on the hearing page dedicated to this promulgation are hereby incorporated into the formal hearing record.

> (Exhibits 1 through 9 were received into evidence.)

THE HEARING OFFICER: Drew, does the department have anything further they wish to add at this time?

Not at this time. MR. AYDELOTTE: THE HEARING OFFICER: Excellent. Thank you very much for your presentation.

Normally, at this point in the hearing, we would turn the floor over to any members of the public that had pre-registered to offer comment. this particular matter, we did not have any members of the public pre-register. So that being said, we are going to move towards concluding this matter.

As I mentioned previously, the record is not going to close at the conclusion of tonight's

proceedings. Rather, pursuant to Delaware law, the matter is going to remain open for an additional 15 days exclusively for the purpose of accepting public comment should any be submitted. So there's that.

2.0

I do want to highlight the fact that comments can be submitted through a comment form link on the hearing page via direct email to dnrechearingcomments@delaware.gov or via the snail mail, United States Postal Service, at the physical address for DNREC, which is also listed on the hearing page.

I should also note that written comments to DNREC may not be submitted using typical social media platforms such as Twitter, Facebook, YouTube, or standardized text messaging.

Again, remember that all comment, regardless of how it is received, as long as it is received by the department on or before November 6th, all the comment bears the same weight, and all will be incorporated into the hearing record and posted on the hearing page so that everybody can see what everybody's talking about.

Again, we present these public hearings as a mechanism to not only inform the public of

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1	pending actions that are currently happening at DNREC,
2	but again to also provide a platform for comments
3	should the public indicate that they wish to do so.
4	As I said previously, I want to thank
5	everybody for taking the time to attend tonight's
6	hearing. This matter is formally adjourned.
7	(Whereupon, at 6:33 p.m., the
8	proceeding was concluded.)
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CERTIFICATE

2 I, CARLO FLORIO, the officer before whom the foregoing proceedings were taken, do hereby certify 3 4 that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the 5 proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a 8 true and accurate record to the best of my knowledge, 9 10 skills, and ability; that I am neither counsel for, 11 related to, nor employed by any of the parties to the action in which this was taken; and, further, that I 12 13 am not a relative or employee of any counsel or 14 attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of 15 (m/ Flair 16 this action.

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2.0

CARLO FLORIO

Notary Public in and for the Commonwealth of Pennsylvania

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CERTIFICATE OF TRANSCRIBER

I, JACOB MYERS, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Jacob Myens

JACOB MYERS

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