



### River Outfitter Licensing Program

13787 S. Hwy. 85 • Littleton Colorado 80125 • Phone (303) 791-1954 • Fax (303) 470-0782 • [www.parks.state.co.us](http://www.parks.state.co.us)

October 19, 2010

Colorado River Outfitter License Holders;

Greetings from the River Outfitter Licensing Program! First and foremost I'd like to cover the changes to the program as a result of the Sunset Review. As I'm sure you are all aware, the program went through the review beginning in November 2008 until the Governor signed the final bill, HB 10-1221, on June 7<sup>th</sup> 2010. All changes went into effect on August 11<sup>th</sup>, including extension of the program until at least 2019. The final bill, bill summary and updated statute document are available at [www.parks.state.co.us/boating/riveroutfitterlicensing](http://www.parks.state.co.us/boating/riveroutfitterlicensing).

One of the biggest changes is the mileage requirement for being a trip leader. In the past, guides had to log a total of at least 500 river miles on regulated trips to be a qualified trip leader. A minimum of 500 miles is still required, but now a guide can log up to 250 non-regulated river miles and at least 250 commercial river miles to be a qualified trip leader. These non-regulated miles can be obtained before being a qualified guide, but must be properly documented and signed for under penalty of perjury. There was also language inserted here to clarify that the qualifying regulated miles for a trip leader and guide instructor must be as a qualified guide.

Another large change is the reestablishment of the ROL Advisory Committee (Committee). The 3-person Committee will be made up of 2 Outfitters and 1 representative from the Division of Parks & Outdoor Recreation. Once formed, the Committee will review & make recommendations to the State Parks Board (Board) concerning rules & proposed rules. If interested, please download an application from our website or contact me to have one mailed to you. All applications must be received at the ROL office (13787 S. Hwy. 85 Littleton CO 80125) or postmarked by November 3<sup>rd</sup>, 2010. After applications are received, interviews will be conducted before the final appointments are made by the board.

Other changes include:

- Redefined advertising to include electronic media in addition to printed materials.
- Requires the Board to e-mail a notice of every proposed rule personnel changes and training standards for Division Rangers to each licensee.
- Allows the Board to be flexible with the license terms, so a 2 or 3 year license may be possible in the future. This will be addressed with other possible rule changes to stay consistent.
- Added CPR requirements in Statute for guides, trip leaders & guide instructors. It's always been a requirement in rule, now it's also consistent in Statute.
- Removed the minimum qualification exemption of higher education staff.
- Added an administrative penalty of 5 times the annual license fee for operating without a current & valid River Outfitter License and/or without current & valid insurance.

Now that the statutory changes are in place, we're able to turn our attention to the details of rules & regulations. As a refresher, statutes tend to be broad (i.e. it says that outfitters must provide river outfitting equipment) where rules are very specific (i.e. the equipment must include a specific type and number of pfd's). While we won't have any formal discussions without the Committee being in place, I would like to hear from you about what rules you believe should be changed, your solution and reasoning why. I can't say that all or any of the ideas will make it through to the Board, but I will tell you that they'll come up to the Committee. Regardless, you'll be notified of any changes.

I wanted to clarify and remind people of key enforcement issues we saw this year;

- PFD's MUST be securely fastened (i.e. completely buckled, tied and/or zipped) on everyone and of the correct type at all times while on the river (even immediately after launching). Having these PFD's unsecured allows them to come off very easily should a guest or guide find themselves in the water and is a major safety concern.
- All inflatable rafts and/or dory's on regulated trips MUST have the company's name, logo or abbreviation attached & clearly visible from at least 150 feet away. If the vessel is regularly used for private floating as well as commercial, I would suggest a temporary sign or banner to fulfill this requirement. As in the past, if the vessel has the companies name permanently attached, please strike it out with tape on private trips.
- A sufficient number of human waste containers is a requirement on all regulated trips, regardless of the location and its proximity to the highway. Our typical rule of thumb is at least 1 container per trip, but more based on the duration of the trip and number of passengers. This is also one of the 7 required items to be covered in the safety orientation. The program has given out entirely too many in the past years; a practice that will immediately stop. Please make the proper preparations for next year.
- The person in the field responsible for each regulated trip is the trip leader. That person's responsibilities include the passenger orientation, safety practices, equipment requirements, maintaining a safe distance between vessels, etc.

The types of PFD's tend to be a point of confusion for people, so I'll try to explain it the best I can. The US Coast Guard and State of Colorado recognize 5 types of PFD's. With 2 exceptions (people less than 50 lbs & canoes/kayaks), all commercial passengers must be wearing a type I or V when on the water. I'm certain this will come up with the Committee, but that's accurate for now. There are many styles of type V's, but the only ones that are acceptable for commercial passengers are "Whitewater" or "Commercial Whitewater." This is because "Type V's are intended for specific activities and must be used in accordance with the specifications on their labels." For example, my personal vest is a Type V and specifies it's "Intended Use: Paddling & Sailing: Rescue & Instruction," so it wouldn't be acceptable on a commercial passenger. I have other vests here that specify "Approved only for use by persons engaged in Commercial White Water services within the USA," and "Whitewater River-Rafting Buoyant Vest." Those would be acceptable on a commercial passenger.

Earlier this year we began using an updated version of the Minimum Guide Qualification form. We're going to be working on the On-River Log & Accident Report forms over the winter and hopefully have those available by next spring. Another winter project is creating an Outfitters Records Inspection (ORI) preparation packet. There are a lot of outfitters who don't know exactly what the process is or what's expected of them during an ORI. This packet will be sent to outfitters once an ORI has been scheduled and will have all the details plus examples included. It's our intent to eliminate as many surprises as possible when we come to your place of business.

I'd like to remind everyone that we will begin accepting applications for the 2011 River Outfitter Licenses on November 1, 2010. Any applications not postmarked by January 31<sup>st</sup>, 2011, will be subject to a \$100 late fee. As a suggestion, please get your applications in sooner rather than later. This allows me to get them processed and back out to you well ahead of most permitting deadlines. The cost will be the same; \$400 for a standard license. All applications and other forms are available at our website. To settle any wagers, it looks like we'll be dropping the year designating letter on the license from 2011 on.

If you have any questions or comments about anything, please don't hesitate to contact me. I may not be able to answer immediately, but will as soon as possible. Have fun & be safe!

Sincerely,

Kris Wahlers  
River Outfitter License Program  
Colorado State Parks

Cc:  
Ken Brink – Deputy Director, Colorado State Parks  
Patrick Gavin – Chief of Public Safety, Colorado State Parks