

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 51]

General Provisions; Administrative Provisions

[55 Pa.B. 3881]

[Saturday, June 7, 2025]

The Fish and Boat Commission (commission) proposes to amend Chapter 51 (relating to administrative provisions). The commission is publishing this proposed rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The proposed amendment relates to charter boat/fishing guide operations.

A. Effective Date

This proposed rulemaking, if approved on final-form rulemaking, will go into effect upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information on this proposed rulemaking, contact Christopher M. Andreoli, Esq., Acting Chief Counsel, P.O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This proposed rulemaking is available on the commission's website at <https://www.pa.gov/en/agencies/fishandboat.html>.

C. Statutory Authority

The amendment to § 51.125 (relating to insurance) is proposed under the statutory authority of section 2907.3(d) of the code (relating to fishing guide and charter boat permits).

D. Purpose and Background

The specific purpose and background of the proposed amendment are described in more detail under the summary of proposal.

E. Summary of Proposal

This proposed amendment to § 51.125 expands the insurance options for charter boat operators and fishing guides to include protection and indemnity (P&I) insurance.

Currently, the regulation specifically states that charter boat operators and fishing guides shall possess and maintain general liability insurance. However, many insurance carriers will only issue P&I insurance, and not general liability insurance, to businesses that provide services on the water.

P&I insurance is a specialized type of insurance coverage that offers liability protection for shipowners and operators. P&I insurance provides coverage to shipowners and operators for their liabilities, costs and expenses arising from a variety of incidents related to the operation of their

ship, including incidents such as injury or death of crew or passengers, cargo loss or damage, pollution and collision.

The commission proposes that § 51.125 be amended to read as set forth in Annex A.

F. *Paperwork*

This proposed rulemaking will not increase paperwork and will not create new paperwork requirements.

G. *Fiscal Impact*

This proposed rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions.

H. *Public Comments*

Interested persons are invited to submit written comments, objections or suggestions about this proposed rulemaking to the Executive Director, Fish and Boat Commission, P.O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically to RA-pfbcregulations@pa.gov. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-363. No fiscal impact; recommends adoption.

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 51. ADMINISTRATIVE PROVISIONS

Subchapter L. CHARTER BOAT/FISHING GUIDE OPERATIONS

§ 51.125. Insurance.

Charter boat operators and fishing guides shall possess and maintain in full force and effect general liability insurance or protection and indemnity (P&I) insurance for all periods during which they are operating a charter boat/fishing guide operation on the waters of this Commonwealth. The minimum amount of coverage is \$250,000 for each occurrence and \$500,000 in the aggregate. Applicants and holders of charter boat/fishing guide permits shall provide proof of insurance upon the request of the [Commission] commission.

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