



International Amphicar Owners Club

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April 19, 2019

Senator Josh Hawley
United States Senate
212 Russell Senate Office Building
Washington, DC 20510

Ref: Duck Boat Safety Enhancement Act of 2019

Dear Senator Hawley,

I am writing on behalf of the International Amphicar Owners Club. The Amphicar is a car, but it is also a boat. The Amphicar was built in Germany between 1961 and 1968. There were slightly more than 3,800 built and it is estimated that approximately 400-500 of them have survived. The Amphicar was built as a true **Amphibious Passenger Vehicle**, intended to be driven on the streets and into the water, like a small boat.

Our concern is that the Amphicar, although small and personally owned, technically is an “**Amphibious Passenger Vehicle**” and that the rules proposed by the Act (primarily crafted to enhance the safety of large passenger capacity “Duck” boats typically used by tour operators, will be applied to our Amphicars. I am confident that the intent of your bill was not to include our cars and to burden us with the same restrictions meant for commercial vehicles.



Typically, our car/boat has been governed by the rules of the US Coast Guard, utilizing the standard requirements for a small water craft. We have the necessary navigation lighting, carry a paddle, fire extinguisher, a warning/signaling device and provide personal floatation devices for all passengers. Our cars are equipped with an electric bilge fume extractor and electric bilge pump (most owners have also installed a secondary high capacity bilge pump) and carry warning placards to insure that the bilge plug is in place, that the doors are safety-locked and that seat belts (if equipped) are not worn while in the water. Most Amphicars do not have seat belts as they were built before seat belts were mandatory for automobiles in the USA. All of the Amphicars were built as convertibles (what might be called under your Act a “Canopy”).

As for the requirement regarding weather monitoring, the Amphicar is not a very user friendly craft when there are waves and it is just plain uncomfortable to be driving when the waves are more than one foot high or in strong winds.

I would also like to point out that there are a number of other small “**Amphibious Passenger Vehicles**” that were intended for personal use that this bill (as currently written) would impact. There is the US Army’s historic WWII amphibious Jeep, the Watercar, manufactured in California, as well as a number of custom vehicles including one of the famous James Bond cars, (that transforms into a submarine).

I would also like to point out that there is a restaurant in Orlando, Florida, The Boathouse, which utilizes eight Amphicars to provide a ride to and from their restaurant on a private man-made lake. It is reported that The Boathouse operates about 150 cruise cycles a day.

We believe your bill is a wonderful idea that definitely should apply to the “Duck” style boats used for commercial tourism. The rules that you have drawn up certainly make sense and provide for an additional level of safety for passengers of these rides and we applaud your initiative. We are simply concerned that, as written, the Act could be interpreted to apply crippling and technically incompatible restrictions and requirements on our small vehicles. Indeed, Amphicars have a uniquely excellent safety record; hundreds of Amphicars have been driving America’s roads and swimming our lakes and rivers for almost 60 years. In that time, there have been zero deaths or even serious injuries associated with Amphicar operational failures. (Source: USCG Maritime Information Safety Bulletins and the NTSB Incident Reports; no listings of any Amphicar land or water incidents.)

May I suggest that you view the US Coast Guard “Amphibious Vessel Casualties In Perspective” document, a study of DUKW and other APV’s, published 30 November 2010 (available at <https://dms.nts.gov/public/49500-49999/49659/461127.pdf>) It is notable that the USCG does not consider Amphicars to be “commercial” or “inspected” APV’s. I am not a legislative expert author, but I think that your Act can be modified to clarify its focus onto large, commercial APV’s simply by the insertion of the words “inspected, commercial” ahead of all mentions of “APV’s.” This will also bring your regulatory document into alignment with existing USCG APV definitions.

I would be happy to discuss our concerns with a member of your staff and provide additional information on our cars. We invite you to review our web site, www.amphicar.com, for additional background information on Amphicars and our >300 member Amphicar club.

Thank you for your time and consideration.

James D. Golomb

President

International Amphicar Owners Club

