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COMMENTS 401-450

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February 9, 1998

Commander Michael L. Emge
Executive Secretary
Marine Safety Council
United States Coast Guard
Headquarters
2100 Second Street, SW Room 3406
Washington, DC 20593-0001

RE: CGD 97-059

Dear Commander Emge:

The United States Sailing Association (US SAILING, the **Association**) is pleased to respond to the United States Coast Guard's (Coast Guard) Request for Comments regarding "Recreational Boating safety - Federal Requirements for Wearing Personal Floatation Devices," CGD 97-059. For the reasons more fully discussed below, US SAILING recommends that the Coast Guard not propose or adopt a federal requirement for the wearing of Personal Flotation Devices (PFDs).

US SAILING is the national governing body for the sport of sailing recognized as such by the United States Olympic Committee (Amateur Sports Act of 1978.) The association has direct responsibility for all aspects of the sport in the US, including **participation** in the Olympic Games (11 medal events) and the rules of sailing. US SAILING has an extensive history of research, education, and regulation of safety in the sport of sailing. The Association's Safety-at-Sea Committee (SASC) includes naval architects, experienced sailors, and safety planners. Its current members include the Commanders of the US Naval Academy Sailing Squadron and the US Merchant Marine Academy Sailing Squadron, as well as a representative of the Seattle Sailing Foundation, a leading research organization in matters of safety on the water. In the past, SASC members have included the Commanders of the US Coast Guard Academy Sailing Squadron and the US Naval ROTC Sailing Squadron.

SASC activities have included research into victim overboard recovery techniques. In cooperation with the Seattle Sailing Foundation, the "Quick Stop" technique and the "Lifesling" were developed and now are

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recommended world-wide as the single best method for **victim-overboard** recovery in sailing. Along with the National Society of Marine Architects and Engineers, SASC developed a capsizing measure for sailing boats that forms the **basis** for stability requirements in various ocean **conditions**. The Arthur **B.** Hansen Rescue Medal Program provides not only a method for recognizing victim-overboard recoveries but also a means for researching in detail numerous events where people have been in the water, including the circumstances of their mishaps, the recovery methods used, and the results.

US SAILING has many active safety **education** programs. In cooperation with Cruising World Magazine, and frequently with the participation of the US Coast Guard, SASC conducts extensive seminars In Safety-at-Sea at locations throughout the US. Attendance at these seminars has been deemed mandatory for participants in such events as the Newport-to-Bermuda Race. Moreover, US SAILING's Training Committee and Its National Faculty have developed formal methods, detailed procedures, and extensive manuals for safety instruction at levels of sailing that range from juniors to windsurfers to commercial school training programs to Offshore programs. Moreover, US SAILING's Community Sailing Council and the **American** Red Cross are engaged in some of these programs.

SASC has current safety research projects underway In cooperation **with** the US Naval Academy, the US Merchant Marine Academy, and the Seattle Sailing Foundation.

US SAILING Is a Member National Authority of the International **Sailing** Federation (ISAF), the world-wide governing body for the sport of sailing, and of the Offshore Racing Council (ORC), which has responsibility for aspects of racing In the oceans. US SAILING provides Delegates to the Oceanic and international Regulations Committees of ISAF, each of which have safety responsibilities. A current Director of US SAILING is a member of the **ORC's** Special Regulations Committee, with direct responsibility for the Recommendations for Offshore Sailing, comprising numerous and highly-detailed safety regulations for cruising-type boats. These safety regulations are studied on an ongoing basis and updated biannually.

With regard to racing aboard offshore boats, US SAILING recently adopted the following for all races complying with the ORC Special Regulations: "Competitors shall wear personal floatation without exception when starting and finishing a race and at all other times while racing and on deck except when the captain of the boat directs that personal floatation devices may be set aside." The specific nature of

the personal floatation **device** – other than that it must be “worn” – is not specified.

A1 – RISKS IN RECREATIONAL BOATING

Recreational boating includes several different types of water craft, diverse populations, and differing venues. The following remarks are addressed to recreational sailing:

1. Sailing is a low-speed, low impact sport. Unlike motor boats, **victim-**overboard situations do not result from high-speed accidents in which a person is thrown overboard. Moreover, a sailing boat is less likely to speed off from a victim. Studies for the Arthur B. Hansen Rescue Medal Program confirm that proper execution of the Quick-Stop procedure and deploying a **Lifesling** device help to ensure successful victim recovery in offshore **situations**.
2. Safe sailing requires agility. The operator and crew of a recreational sailboat must be able to move about in a milieu with many devices, lines, and various gear. If their movements are hampered, the risks increase. Some devices designed for safety in general boating may actually be unsafe for the operation of a sailboat. For example, wearing fixed floatation devices can actually be hazardous in some sailing situations. Because there are many types of sailboats, each requiring a different level of agility, US SAILING believes that the selection of a personal safety **device** in sailing must be wearer-determined.
3. There are relatively few drowning deaths in sailing. Of the 800 boating deaths that occurred in 1995, few of them happened in sailing. US SAILING regrets any loss, but notes that sailing is a low-risk activity in comparison to other boating activities (personal watercraft, kayaking, etc.), where the risks appear to be greater.

A2 – SAFETY OVERBOARD

Our studies indicate that victims either felt safer or would have felt safer as a result of wearing personal floatation. In all instances, the floatation used, preferred, or indicated was an inflatable device. On the other hand, sailors often feel unsafe in fixed floatation devices.

In offshore sailing, with boats that are relatively inherently stable, the single best sense of safety is provided by wearing a harness that will allow movement about the deck but prevent falling overboard. The ORC Special Regulations provide recommendations about when a sailor should wear such a harness and technical specifications

regarding that harness. Once overboard, of equal importance to the PFD for the sense of safety was continuing contact with the boat, avoidance of hypothermia, and the successful deployment of a Lifesling, the device for bringing a victim alongside. The Lifesling is attached to the boat, which is brought to the victim. Our studies indicate that free-thrown devices often do not get to the victim.

In small boat sailing, where boats may capsize but **will** not sink, education in using the boat for reliable floatation has provided the greatest sense of safety. The success of the approach is evident in tens of thousands of youngsters who have trained in US SAILING's junior programs throughout the **nation**.

A3 – EFFECTS OF REGULATION

US **SAILING** has no specific data on how regulations regarding the use of PFD's will affect participation. As is noted above, the Association is attempting to introduce the concept of routinely **wearing** PFD's in offshore sailing. There is some resistance to this move, and it will be debated further.

Even if participation is not **influenced** by a regulation, as is noted above, the Association is concerned that regulations that require a specific PFD may actually reduce a sailor's safety. (Using **fixed-** floatation PFD's in certain aspects of sailing is an example.) In sailing, we believe that the participant must be able to select a PFD that is suitable to the boat and the conditions. It is difficult to see how that can be done by regulation. Many useful floatation devices have been developed and can be used in sailing. Most of these are inflatable. Other new devices are, unfortunately, inferior. US SAILING believes that education and a system that encourages that appropriate selection of a PFD may actually increase participation in sailing, while regulation may, unintentionally, be dangerous.

A4 – OUR ACTIVITIES

Please see above.

A5 – PFD PREFERENCES

In consultation with its SASC and Training Committees, US SAILING promotes the use of different types of PFD's for different purposes. These include vest-types for juniors; Inflatables with **35#** floatation and collars for offshore use; cold-weather jackets with built-in inflatable PFD's with buoyant collars and crotch straps; fanny-pack inflatable horseshoes for daytime near-shore use; and others. Some sailors use different devices for different **situations**.

B1 – POSSIBLE FEDERAL REQUIREMENTS

As noted above, the diverse spectrum of **recreational** sailing does not lend **itself** easily to single standard safety measures. Moreover, sailing in the United States takes place in vastly different environments, each with its own peculiar Issues of risk and of exposure to the factors that may affect personal safety. While safety education, stressing especially making the right choice of PFD's for the **circumstances**, should be encouraged, US SAILING does not support the concept of a federal regulation regarding PFD's.

With reference to state regulations, the Association has noted that *some* state laws require wearing of PFD's that may actually be harmful to a victim In the water.

When uniform safety standards can be applied, US SAILING has endorsed them. For example, the Association supports and enforces the ORC Special Regulations for safety harnesses and for life rafts in certain **offshore** conditions, and **it** participates in and promulgates highly **specific** technical requirements for those devices, as well as for others, such as **SOLAS** flares and IMO illumination. In the **case** of PFD's however, US SAILING feels that a common regulatory standard, or even a set of standards, is undesirable. (As *one* SASC member put it, "This is much more complicated than writing **specifications** for seat belts.")

B2, B3, B4, B5 – REQUIREMENTS BASED ON STATISTICS

As is noted above, there are few drowning deaths per capita in **sailing**. Statistics from the Arthur B. Hansen Rescue Medal reports show that when losses have occurred, most have been in larger boats sailing in unescorted fleets in sudden anomalous weather conditions (e.g. a **microburst**).

With regard to age, It is particularly interesting to note that US SAILING does not recall any losses among the thousands of children who participate in junior **sailing** programs throughout the country. US SAILING Certified junior sailing programs require the use of PFD's by participants. Additionally, there are standards for supervision, patrol boats, swimming capability, and capsized drills. The Association believes that **PFD's** alone will not provide the measures of safety required,

B6 – NON-SWIMMERS

US SAILING has no specific data with regard to higher losses of life among non-swimmers in sailing. Based on specific incidents of losses, however, swimming ability will not ensure survival. For example, an extremely competent swimmer can be borne under by clothing, such as sea boots; and expert swimmers have suffered shock or hypothermia. Promoting PFD use only among non-swimmers would appear to be inappropriate. All sailors should be properly educated in selecting and using PFD's.

B7 – REPORTS OF LOSSES

Through the Arthur B. Hansen Rescue Medal Program and other sources, US SAILING is aware of practically all of the losses of life in recreational sailing. Some of these incidents occurred as a result of head trauma. Others were cardiovascular events (including one professional "victim" in the course of a rescue demonstration and who was wearing a survival suit, who suffered a catastrophic heart attack). In many instances, victims **cited** the role of their PFD's or the wish that they had used PFD's. However, statistics support the fact that successful rescues are highly correlated with the successful execution of a variety of rescue techniques (some cited above), which appear to be as important as PFD's in the Association's studies.

B9 – CURRENT USCG PFD TYPE.6

US SAILING is aware of varieties of PFD's currently approved by the Coast Guard and of their inherent limitations with regard to safe sailing.

B10 – USCG PROPOSALS

With regard to sailing, US SAILING specifically discourages the Coast Guard from proposing a federal requirement for wearing PFD's for the reasons stated above.

B11 – OTHER BOATING ACTIVITIES

US SAILING's expert knowledge is limited to sailing.

CI – COSTS AND BENEFITS

US SAILING believes that the costs for implementing a mandatory program for wearing PFD's will be high, that the benefits may be negative if PFD's are inappropriately specified, and that education,

supporting appropriate PFD use and choice by the sailor, is the best method.

C2 – NON-REGULATION

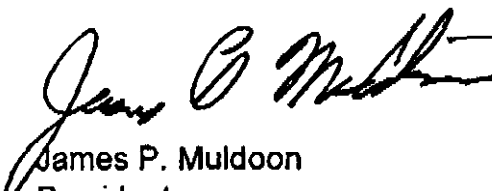
As is described throughout these comments, US SAILING has developed several non-regulatory means for encouraging (and in some instances, **requiring**) the use of personal floatation among sailors in various circumstances. The Association plans to continue its activities in this regard.

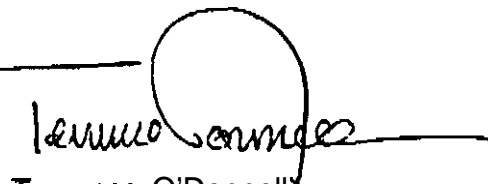
C3 – PUBLIC AWARENESS

As a regulatory agency as well as an **education** agency, the Coast Guard may be caught in between two missions. That is, the limitations imposed by regulations, especially with regard to the approval of only certain types of **PFD's**, may reduce the Coast Guard's ability to educate the public in the broadest possible aspects of personal safety.

The United States Sailing Association is grateful for the opportunity to respond to the Coast Guard's request for comments. US SAILING has long enjoyed its association with the Coast Guard on behalf of all of the nation's sailors, and we **look** forward to continuing that friendship.

Submitted on behalf of the United States Sailing Association by:


James P. Muldoon
President


Terrence O'Donnell
Chairman
Government Relations Committee

FEB 10 1998

2206 Dail Ridge Road
Wendell, N.C. 27591
919-217-9651
January 26, 1998

Dear Rear Adm. E.R. Riutta,

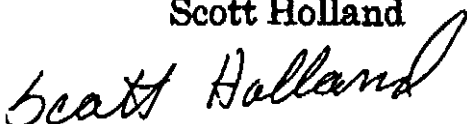
Hello Admiral sir, My name is Scott Holland. I have read in my local paper about a decision that the Coast Guard is about to make regarding the use of PFD's. The article stated that it soon be mandatory to wear a PFD at all times on the water, in my opinion a little bit extreme.

I own a bass boat and I understand the importance in wearing a PFD while on the water and I and whoever is on my boat wears a PFD. But only when the gasoline motor is running. When we are fishing or under the power of the electric motor we take them off because they restrict movement and are very uncomfortable. The chances of an accident happening at that time are not as good as if under power at high speed.

A problem that I see around the lakes and rivers which I fish on a regular basis is drinking beer and liquor. If you would look at the statistics on drownings, I am sure there will be a large numbers of people that have drowned were drinking. There should be more and stricter rules about that.

I hope that you think about this decision before it is law. One last statement I will like to make is that most if not all of the boating public do not like or want the government telling us what to do. We are all adults and we can take responsibility for whatever decision we make. Thank you for your time sir.

Scott Holland



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FEB 13 1998

January 27, 1998

Executive Secretary
Marine Safety Council
(G-LRA, 3406) (CGD 97-059)
U.S. Coast Guard Headquarters
2100 Second Street, SW
Washington, DC 20593

REFERENCE: Purposed mandatory wearing of **PFDs**

Greetings:

It has come to my attention that your committee is seeking input from those whom would be affected by a law requiring mandatory wearing of **PFDs** while aboard boats. I must voice opposition to any such law.

Improved boating safety **will** be the result of education and operator licensing, not the wearing of uncomfortable, unnecessary **PFDs** at all **times** while on a boat. **As** a life-long recreational boater, I am very much aware that there are many instances when the wearing of a PFD is essential to one's safety. The prudent water sportsman knows when conditions dictate the wearing of **life** vests.

The realistic boater knows that a PFD, no matter what type, is a discomfort on a hot day. Try to **convince** that sun worshiper to go sailing and be branded with PFD lines. We absolutely do not need a life jacket law, **On-the-water** fatalities have been on the decline for the past twenty years even though there are more boats on the water than ever before. The figures for IQQ6 indicate that 76 million people participated in some form of **recreational** boating that year and only 800 drowned. **561** victims were not wearing life jackets. **With** this in mind does it make any sense to **insist** that 78 million people wear life jackets?

Let's work for boating safety through education not legislation.

Sincerely,



403

Thompson Maritime, Inc.

107 River Avenue (Route 35 - South), Point Pleasant Beach, NJ 08742

Phone: 908-899-7990

Fax: 908-899-8118

13 February, 1998

FEB 13 1998

Executive Secretary, **Marine** Safety Council
(G-LEA, 3406) [CGD **97-059**]
U.S. Coast **Guard** Headquarters
2100 Second Street SW
Washington, DC 20593-0001

This letter is in response to the request for comments **concerning** the wearing of **personal** flotation devices. I write this **from** both a professional perspective and a personal one as well. I hold a **USCG** license as Master, New Coastal 100 ton with sail **&** assistance towing endorsements. I have taught boating safety, boat handling, sailing, canoeing and **whitewater** skills to adults, **children** and physically challenged **individuals**. I have worked **extensively with** the **Commercial Fishing Industry**, developing and **teaching** Sea Survival and Emergency Drills **courses** and have served as both **captain** and crew on a **variety of commercial and research** vessels. **I have** actively participated in recreational boating **all** of my life. **Presently, I chair the International Standards Organization subcommittee on Marine Lifesaving and Fire Protection (ISO TC-8/SC-1)** and am **president** of the Marine Safety Foundation.

PFD use **has** been to be a **difficult issue** for many **years**. Few would argue **the** obvious advantages to wearing a PFD while on the water. However, many of these same individuals regularly work or play on the water without wearing a PFD.

Perhaps an issue which has not **been** adequately **publicized** is that PFD **manufacturers** have developed devices which are more **comfortable** to wear. I suspect that many **individuals** still see the bulky, kapok-tilled type I or **II device** as the typical PFD. There are also **USCG** approved **PFDs** used in the **whitewater** canoeing and kayaking which provide **excellent** wearability, but are **not** usually **offered** for sale to the recreational sailor or PWC user.

A. Boating Activity of **Commenter**

1. Recreational **boating involves** some level of risk. The individuals involved can manage much of this risk if they are **cognizant** of the risk factors. I have spent **considerable** time this winter discussing pending new boat purchases with individuals at boat shows. Most buyers ask questions concerning accommodations, features, speed and styling. Of more **than** 100 individuals **seriously** shopping for **powerboats** between 35 and **55** feet in length, **starting** at about **\$ 150,000**, only two asked any questions about **safety and seaworthiness**. Most **buyers are** under **the impression** that **recreational** boats are built to Coast Guard **standards** for **safety** and design, and **that** the **individual** designs **have been approved** by **the** Coast Guard. **They** believe that one boat is "as safe" as any other. Many individuals **seem** to approach **recreational** boating in the same manner that they approach driving. They feel that any gear **that is necessary** for safety is required and **already** on the boat. A number of newer boaters also **feel** that any **hazards** to their safety **will** have a sign or buoy. "If it was dangerous it, it would have **been** marked." The new requirements for mandatory boating safety **courses are** a great help. However, we need a **further** effort to help those participating in recreational boating realize that they must take responsibility for **their** own safety as well as **that** of everyone on board their vessel.

Risk on recreational boats must be managed (minimized) by **the** individual owner, operator, passengers and crew. **Proper outfitting, maintenance,** equipment **carried** on a boat which is appropriate for its **intended** use. operated by a conscientious, Informed (trained?) **individual** will significantly reduce the level of **risk** involved. Too **often** I get aboard a recreational boat on which the **owners** have never taken **PFDs** out of the plastic wrapper, or never opened the safety **equipment** container(s) provided by the seller of the **boat**. Many owners don't even realize. that the flares have an expiration date.

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Much of **the** risk of injury or drowning **comes from "other"** vessels. AS waterways **become more crowded**, and boat speeds increase, the risk of collision and risk to an individual in **the water increases as well**.

2. I **certainly do not agree** with **the** statement: *If I fell overboard I would feel just as safe if someone threw me a lifering or a buoyant cushion as I would feel if I had been wearing a standard lifejacket style?* In fact, I **feel** that buoyant **cushions** should not be **Approved** as **Type IV PFDs**. on vessels over 16 (26?) feet. **We** should encourage all waterways users to by out their **PFDs** in a pool to **find out for themselves**.

3. A requirement for wearing a **PFD** would not **prevent** me from **participating** in **recreational** boating. However **wonderful** an **idea** PFD use is, **there** are certain situations where PFD use would not necessarily be desirable. My **concern** is **that** if the **requirement** is too broadly written, **it will be unworkable**. A bad **law is** worse than no law at all. Let us make the **most** of this **opportunity!**

4. I spend Probably 40 days per **year** "boating **recreationally**", mostly **coastwise** and **offshore cruising**, and **another 80- 100** on commercial and recreational boats conducting training. On my **recreational cruising sailboat**, we **carry Type I PFDs** for the situations we **hope never** occur, **Type III PFDs** and unapproved **inflatable** sailing **harnesses** for **general use** on deck, and a ring buoy, life sling and **heaving** line (throw bag) for **recovery** of a person from **the** water. We also carry immersion suits and anti-exposure coveralls if **the** anticipated **mule and/or** season indicate. **Harnesses and/or PFDs** are worn by **all** on deck If offshore, at night or in conditions of restricted visibility, or when wind, sea or **traffic** conditions indicate. **PFDs are** worn at all times by children **and non-swimmers**. Unapproved **inflatable** jackets (*Stormy Seas* type) **are often worn** in cooler **weather**. **PFDs are** not worn below decks due to risk of **entrapment** in the event of a **capsizing** or knockdown which causes **downflooding**. **PFDs** are often not **worn** in **calm** weather on inshore waters for **reasons** of **comfort** and to **reduce** snagging and tangling of **lines** and rigging in the PFD. It is simply a level of risk we choose to accept

B. Mandatory wearing of PFDs

1. The Coast Guard should require **mandatory** PFD use by all persons age 12 and **under** on all vessels **while** the individuals **are** "above deck" and no risk of **entrapment** exists. **This** should apply to **all** vessels in all states.

2. The Coast Guard should **further require** all persons engaged in **the** following activities **wear PFDs**: **Operating** or riding on a **personal watercraft; water-skiing**; or riding **any** object or vessel being towed by **another** vessel.

3. **The** Coast Guard should evaluate the following **situations**:

Investigate the advisability of **mandatory** PFD **use** on **vessels** of open construction, less **than** 16 feet in **length**.

PFD **use** should **be** mandatory on any **vessel travelling** at **high** speed (35 knots?) if no risk of entrapment exists. **These PFDs** should **be** of **the** type designed and approved for high speed boating and provide neck support in event of an ejection as well as a crotch strap to keep **the** device positioned properly on **the** wearer. The risk for entrapment does exist in the event of a capsizing. **Careful** research **is** needed to evaluate **which** is a **greater** risk. No **PFDs** other **than** manually inflating models should **be** worn in **boats with** closed cockpit canopies. Also, the risk of entrapment by and compatibility **with** cockpit harnesses should **be assessed** and considered **before** any **requirement** is **implemented**.

PFD **use** should **be** considered **on** any rigid hull **inflatable** boat (for anyone **seated** forward of **amidships??**) **due to** the increased buoyancy of the bow sections and **the** potential to "launch" an individual seated in the bow.

Sailing presents its own **challenges** regarding mandatory PFD use because of **the** risk of becoming entangled in rigging. *US Sailing*, however, **has** recently begun to **require** wearing of **PFDs** on racing **sailboats** while crossing start and **finish** lines. **Their** decision to do this was probably **well researched** and thought **out**. **They** should **be** able to offer **good** insight.

4. & 5 As written above, all under age 12, perhaps even up to 16, should **wear PFDs** at all times while not **in an enclosed space and no risk of entrapment exists**. children of **this** age are often very **"dense"**. Some **barely float**. At that age, I was actually a **"sinker"** unless I was actively swimming, **treading** water or wearing a PFD. This not only makes it difficult for the person to stay afloat for any length of **time, it also makes it very difficult** to spot them in the water.

Some provision should be made for approval of **PFDs** with **crotch straps for "youth"** size devices. Many young people age 10 – 16 have nearly "cylindrical" bodies, but **are** too heavy or large for **child size PFDs**. I have **seen** many **Type III PFDs** pop off over the heads of young people as they drop into the water – even when **sized** and fastened **correctly**. A **crotch** strap, or something **similar**, though unpopular would alleviate this **problem**.

6. Non-swimmers present a clear challenge. While it would be difficult to identify good **reasons** why non-swimmers should not wear **PFDs**, there is no **clear-cut method** to determine who is a non-swimmer. **Most** good swimmers probably do not **have** a card or **other** ID indicating **the** successful completion of a **swimming** class or test, nor does that seem like a viable option.

7. **There are** many instances where people have found **themselves** in the water and wished they had been wearing a PFD. **Often** one hears **the individual** say "I didn't **realize** how hard it would be to breathe" due to **the** cold **water** or the waves **breaking** in **his** or her face. Also, I remember speaking **with** the father of a 10-year-old who had fallen overboard from their 33-foot powerboat while **underway**. The child had fallen in on an SO-degree day in protected waters **with** a light breeze. **The father** very **nearly** ran over **the** child because it was so **difficult** to see hi **in the** water. A PFD would have certainly made it easier to spot **the** child both **through** the increased buoyancy and the **visibility** of the PFD itself.

8. Probably the most **compelling** reason for not **wearing** a PFD is the danger of **entrapment**, either **because** of the buoyancy or bulk of some devices. An individual who is **trapped** in an enclosed space **while** a vessel is sinking may be pinned to **the** uppermost surface by the buoyancy of the PFD. A person trapped under a capsized small sailboat **may have** a difficult time escaping while wearing a PFD. **Having said** that, in any sailing class I have ever taught, **the participants** always wore PFDs.

Entrapment also becomes **a factor** in high-speed powerboats. **Occupants** of boats with enclosed **cockpits, or** cockpit harnesses which are not compatible with the **PFDs**, should not be **required** to **wear PFDs**. Also, **in the** event of a capsizing, the person may be trapped by **the** buoyancy of the PFD.

Accidents involving high-speed powerboats should be studied to evaluate the risks to occupants. A **high-speed** powerboat can exhibit many **unexpected** behaviors caused by environmental conditions, **operator error/inattentiveness** or equipment failure. The boat **may** "stuff." This occurs when a boat enters the **water** at a downward **angle** at hi **speed**. It **is** driven downward (sometimes **into** the bottom) by the **force of the** water **acting on the** downward angled deck of **the** boat **The** boat may also "kite." **This occurs** when the boat comes up off a wave and is pushed over backwards or sideways by the force of the air on **the bottom** of the **boat**. **In any of these situations** occupants may be thrown **from the cockpit** or forced forward and down and find themselves under water wedged beneath the instrument panel. **They may** be unable to **escape** if trapped by the buoyancy of a PFD. On the other **hand**, an injured person **in** the water without a PFD is not necessarily a more desirable outcome. **Research** will provide much **of the** data necessary to determine appropriate standards for PFD use on board high-speed powerboats, There **is** currently some data available from the powerboat racing community.

Many race boats have an **escape** hatch in **the** bottom of **the** boat for **occupants** of the **cockpit** in the event of a capsizing. We need to look at the whole issue of **high-speed** boats and the associated **safety issues** in a different forum.

9. While I am aware of **the particulars** of the various **types** of **PFDs**, I believe that many recreational boaters are not. There **is** good information out there. **The CG information** that **is** attached to every PFD sold is **a great resource**. It **is** my experience, however that the paperwork included with **the** PFD is often yanked off and **thrown** out without **even a** second glance. Many individuals are not aware of devices such as the

hybrid PFD **that are** more **wearable** yet provide excellent **buoyancy**. One **approach** we have taken **is** to **include** a PFD "Fashion Show" **whenever** we do a **safety** presentation. **We let people** try on a variety of **PFDs**, and "model" them for the group **while we discuss strengths and weaknesses**. Many **people** don't understand which **devices** are **designed** to float them **face-up** or which provide **protection** from **hypothermia**.

10. **The** Coast Guard should **require** PFD use under **all** conditions for persons riding **Personal Watercraft**, water-skiing, or **riding** any towed object or **vessel**. **Persons** above dock on disabled **vessels being** towed should also **wear PFDs**.

11. All persons age 12 or younger should **wear a PFD while above** deck **unless a risk** of entrapment **exists**.

C. General

1. **The benefits** of **mandatory PFD usage** would hopefully **include** reduced **injury** and **fatality rates** for the populations affected.

The costs of such an **initiative** would largely be limited to **the** cost of developing and **implementing** the regulations, **dissemination** and enforcement. Some individuals may **choose** to purchase a **more comfortable** type of PFD than they **presently** own. With the populations **identified** above, **the inconvenience** factor would be **relatively low** compared to a more broad-based **approach**. It would also be more **likely to be accepted** by the boating population. **The costs** most **certainly** would not outweigh the benefits.

2. Non regulatory means to **reduce the** number of deaths by drowning should be used to augment and enhance the regulatory **approach**. We need to increase **awareness** that **there** are more **comfortable** and stylish **PFDs available**. The **involvement** of the **active** duty Coast Guard **personnel** through the Boating Safety **Detachments** was a highly **effective** tool for increasing public awareness in the past. I think boaters **have** heard the **message** to wear **PFDs**. **They just** don't bother. "It won't happen to me." The **approach** should be to present **PFDs as** being something desirable, not **burdensome**. We shouldn't simply be **preaching** "Wear **PFDs**", but give **compelling reasons** why life would be enhanced (prolonged) by their **use**. **Present** alternatives – **float-coats**, hybrid and inflatable devices. **The** Weather Channel would probably be a good **venue** for Public Service Announcements.

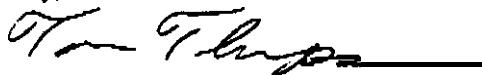
A good job for **the** Auxiliary-Exhibit **at boat** shows. Work with PFD **manufacturers** and **dealers** to get people to **try** on different **types**. Perhaps even **offer** "Try a PFD in the **Water**" pool sessions at boat shows if liability concerns could be addressed. We've done it for **the** commercial **fishermen** at **trade shows**. **Even** if only a few go in **the** water, it draws a crowd and **promotes** good discussion.

One important factor which **should** be brought out in **all** the public **awareness media**, **is** that the recreational mariner must take **responsibility** for the **safety** of **his** own boat and **passengers**. **This** includes PFD **use**. We must **break** the **misconception** that **boating** is just **like** driving a car.

3. We **need** to **address** the issues of **overcrowded waterways**, conflicting use and **excessive** speed **at a** national level. **While** much of **recreational** boating **takes** place on state **waters**, **we cannot afford** to ignore **the** problems by hiding behind **the "state jurisdiction" issue**.

Thank you for **the** opportunity to comment on **this** important issue. Please do not **hesitate** to contact me **at** 732-899-7990 if you have any questions or if I may be of any **further assistance**.

Sincerely,



B. W. "Tom" Thompson

FEB 17 1998

DATE: February 16, 1998

TO: Mandatory **PFD** Proposal
Executive Secretary
Marine Safety Council
US Coast Guard Headquarters
2100 Second Street SW
Washington, DC 205936001

FROM: Jay **Mize**
2327 Lucas Drive
Arlington, Texas 76015

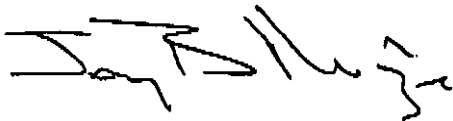
To Whom It May Concern;

I can't believe what I'm reading about the proposed mandatory requirement to wear **PFD's**. I strongly believe that **PFD's are** emergency equipment and should be required when the weather warrants. But a generic requirement to wear these devices at all times seems to be extreme.

As a Bailing enthusiast since the age **of** seven, I require my family **and** myself to 'strap them' on when the breeze picks up and the weather gets rough; however, to wear them on a 95 degree day when the breeze is light seems foolish.

In my 45 plus **years** of boating, the only accidents I've seen are ones involving powerboats, jet skiers and right of way situations. These individuals are usually showing off or acting stupid. Perhaps rather than an across the board requirement to wear **PFD's** more serious **inforcement** of violations and training would be in order.

Sincerely,



405

^{zlw}
FEB 18 1998

PARKER BOATS

455 S. Lake Destiny Road  Orlando, Florida 32810
407-660-2628

January 10, 1998

Executive Secretary, **Marine** Safety Council
U.S. Coast Guard Headquarters
2100 Second Street, SW
Washington, DC 20593-0001

Ref: CGD 97-059

Dear Executive Secretary:

We are responding to the Coast Guard's request for comments as published in the Federal Register, Vol. 62, No. 186, dated Thursday, September 25, 1997.

Current Coast Guard **regulations** concerning the wearing of personal flotation **devices** are very adequate and concise. Number of boaters who drown is diminishing every year. We are opposed to any changes regarding the **use** of mandatory wearing of personal flotation devices.

More effort in Boating Safety Education is the best way to reduce boating accidents and drowning deaths.

Sincerely,



Roy Parker, Jr. Owner
The Employees at Parker Boats Co.

406


1900 W. Emerson, Suite 101
Fax 206.286.9332

Seattle, WA 98119
Phone 206.286.3383

NPFVOA Vessel Safety Program

Fax

To: Executive Secretary, CED 97-059

From: Leslie J. Hughes, Executive Director 

Fax: 232.267.6234

Pages: 3

Phone: 202.267.1477

Date: February 19, 1998

Re: C:GD 97-059 REC BOATING: REQ'TS FORWEARING PFDs

Urgent For Review Please Comment Please Reply Please Recycle

• **Comments:** The North Pacific Fishing Vessel Owners' Assn. (NPFVOA) Vessel Safety Program is a non-profit organization totally dedicated to safety education and training of mariners, particularly commercial fishermen. This program was developed in cooperation with the U. S. Coast Guard in 1985, and attendance in our various hands-on safety courses has exceeded 17,000 to date. NPFVOA's program is regarded by the USCG as the "model" safety program for commercial fishermen in our country.

The NPFVOA/USCG Vessel Safety Manual is considered to be the operational standard for our industry. Falling overboard is clearly one of the biggest causes of fatalities. Our organization has always recommended wearing flotation when on deck (see attached text from the Vessel Safety Manual). Incidents are reported regularly that suggest flotation could have saved many lives of persons who fell overboard, such as the article that appeared in the Seattle Times newspaper today (attached).

We will be interested in your final rule for recreational boaters regarding PFDs.

4107

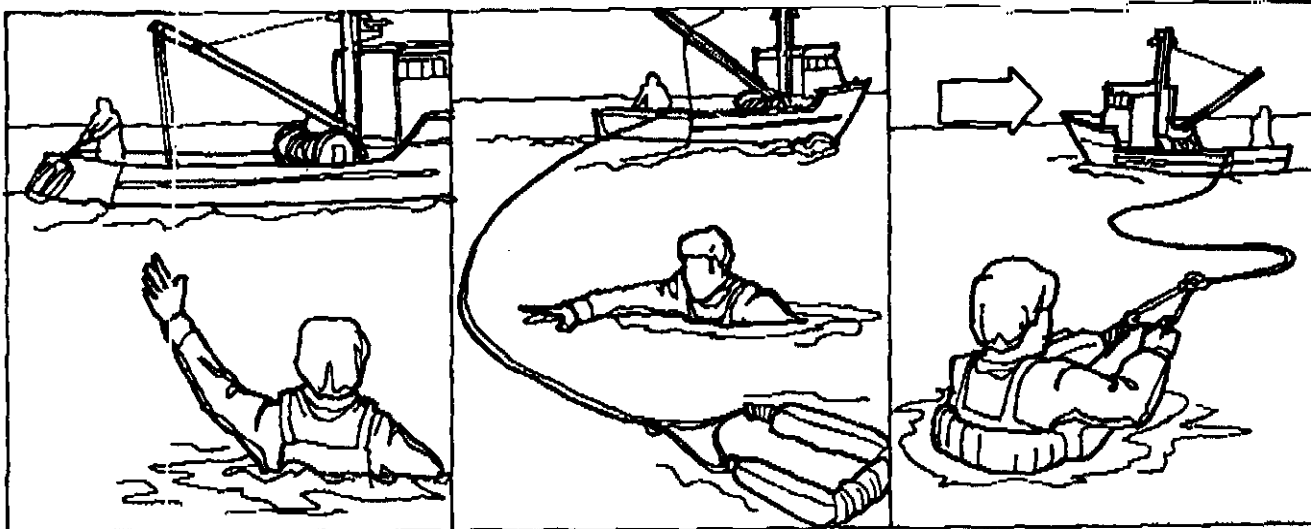
IF YOU SEE SOMEONE GO OVERBOARD...

- Throw a lifesling, ring life buoy, or other markers immediately, as closely as possible
- Post a lookout to keep the individual in the water in sight
- Alert the Captain of the position of the victim

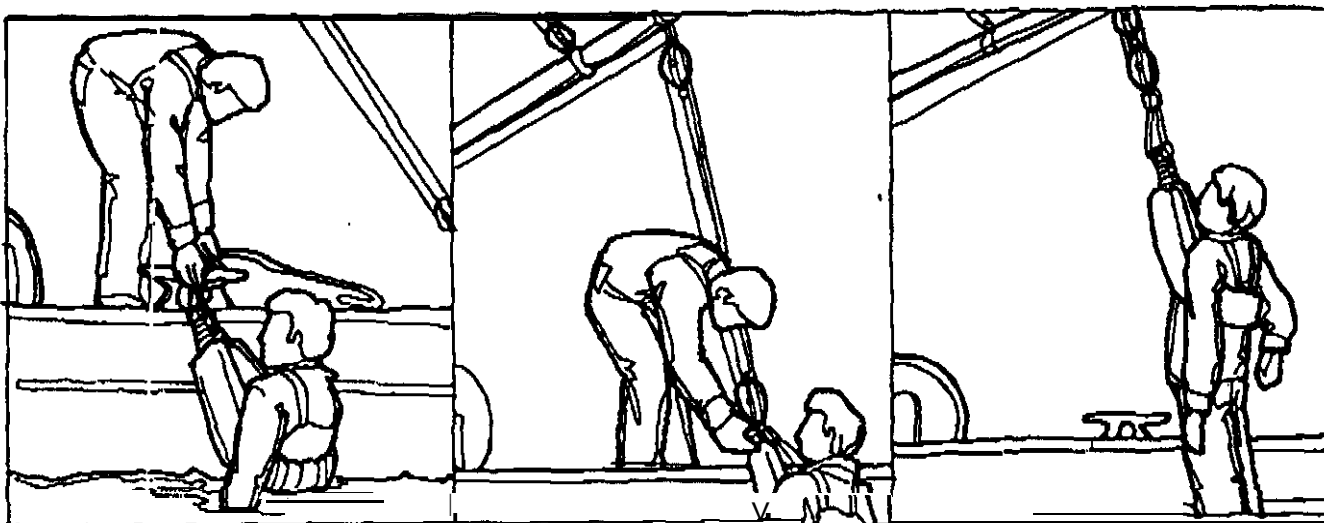
IF YOU ARE ON WATCH...

- Sound alarm to alert the rest of the crew
- Commence maneuvering to a position UPWIND of the victim (swing stern away from victim)
- Launch the rescue boat & maneuver it to pick up the victim in the water
- Have a crewmember put on a lifejacket or immersion suit with a safety line and have them stand by to jump into the water to assist in recovering victim if necessary.
- If the victim is not immediately located, notify the Coast Guard & other vessels in vicinity
- Continue searching until released by the Coast Guard

LIFESLING™



The Lifesling is deployed like a lifebuoy.



It provides flotation and permits the victim to be hoisted aboard with a hoisting tackle.

MAN IN THE WATER

Golden Rule #1: Don't be the man overboard! But if you are:

- Don't panic and don't swim after the boat
- Attract as much attention as possible (wave your arms, shout, whistle, etc.)
- Concentrate on staying afloat (try to keep your head and neck out of the water)
- Get into the H.E.L.P. (Heat Escape Lessening Posture) position to conserve body heat

Golden Rule #2: Wear flotation whenever you're on deck!

- Whether it's a PFD, a work suit, a float Coat, or foul weather gear equipped with a Wadder, you are much better off with them on than trying to stay afloat without them

Golden Rule #3: Place ring buoys where they are most useful!

- Sides of the wheelhouse and probably inside the bulwarks on the working deck
- At night, then? ought to be a light available to throw to the victim along with the buoy

One sex suit

By B2

Page B4

SEAMAN & THE NORTHWEST

SECTION

B

Out on anti-crime bills

Ballistics, Criminal Justice and Corrections Committee chairman, convened a rare joint committee meeting.

Law enforcement officials from across the state said the ever-increasing layers of requirements to track everything from sex offenders to child neglect cases have become impossible to keep pace with. More funding and training, not more laws, are needed to keep the peace, they said.

"I can't think of a polite way to say it," Kathy Goster, a King County prosecutor, told lawmakers. "Quit making a sound."

Police chiefs and sheriffs said by the time they get their officers trained on the latest crop of tough on-crime bills, a new set has been adopted and the Legislature has refused to increase the number of hours of manda-

roy police training and funding for training for 35 years, said Mike Patrick, executive director of the Justice Council of Police Officers.

"You need to have the courage to eliminate the laws that don't work... if you're going to rebuild an extremely dysfunctional criminal justice system," Patrick said, "because it ain't working."

About a fifth of the 629 bills that have passed out of the House and Senate so far this year deal with the criminal justice system.

Larry Erickson, head of the Washington Association of Sheriffs and Police Chiefs, took aim at one bill that would prevent sex

See CRIME, Page B4

Crewman falls off ferry; waters off Alki searched

By TERESA TALERICO
and ROBERT L. JAMIESON, JR.
REPORTERS

The U.S. Coast Guard and other rescue crews were searching last night for a Washington State Ferries crewman who apparently fell from the MV Tacoma between Seattle and Bainbridge Island.

Tacoma crew members called the Coast Guard at about 8:15 p.m. to report the man missing. He had not been found as of midnight. The man was reported missing 2 miles northwest of Alki Point. The Coast Guard sent a rescue boat and helicopter to search.

The missing man is a 41-year-old adult bodied seaman, said Jim Fletcher, spokesman for the ferry system.

Witnesses said they heard the man call for help from the water, said Coast Guard group duty officer Chip Guster. They may also have seen him shining a flashlight from the water, but it was extinguished.

"They knew someone had gone over who it was, they didn't know until they ran the crew list," said Rock Henderson, supervisor of duty at the Colman Dock in Seattle. Henderson, who has worked for the fer-

See FERRY, Page 1

Ferry: Crew began search immediately

From Page B1

system for more than 20 years, said he cannot recall another instance where a ferry crew member was lost overboard.

Henderson said the 47-degree water of the Puget Sound would kill a swimmer in about 15 minutes.

Able-bodied seamen work as deckhands, directing vehicles, securing lines when the ship docks, acting as lookouts, patrolling the vessel for safety hazards and cleaning.

Also assisting in the search were a Seattle Fire Department boat, a Bainbridge Island Police boat and two state ferries, the Quinault and the Tye, Guster said.

The Tacoma was scheduled to leave Seattle at 7:45 p.m., but left about 7:55 p.m. About 10 minutes into the trip, several passengers alerted the crew that they heard someone yelling in the water, Fletcher said.

Crew members immediately started a search and determined the crew member was missing. The ferry captain began circling the area but nothing was sighted and the ferry continued.

Ferry workers wear blue uniforms with reflective tape, but do not routinely wear life-jackets.

Washington State Ferries travel about 2,500 miles daily on 10 routes.

The Tacoma is a Junbo Mark II-class ferry that entered service earlier this year.

Accidents and injuries are rare on state ferries, although passengers have fallen overboard in the past.

Sudden immersion in cold water quickly cools the skin and outer tissues.

Within 10 or 15 minutes, body temperature drops and arms and legs numb, according to an outdoors Web page called Alaska Information Cache.

A 50-year-old person in 50 degree water has a 50-50 chance of surviving for 50 minutes.

In 1993, a man survived after spending 8 hours bobbing in the water after falling off a Canadian ferry.

MAR 2 1998

Robert L. Petersen

1101 Continentals Way # 105
Belmont, CA 94002-3123

2 March 1998

Executive Secretary, Marine Safety Council
U.S. Coast Guard Headquarters
2100 Second Street S.W.
Washington, D.C. 20593-0001

Dear Sirs:

It has come to my attention that you have posted a notice, CGD 97-059, that concerns the proposal of mandatory wearing of life jackets. I have been sailing since 1978, and I hold a 50 Ton Inland license with a sailing endorsement. I also ran a sailing charter business in the Caribbean from 1990 to 1996, and with the above experience, I have never felt it necessary to require the wearing of life jackets at all times. In fact, I find it almost beyond belief that anyone would make such an insane proposal.

I offer several reasons why such a proposal should be rejected: ① It is unenforceable ... do we wish to create a police state? ② It is unsafe ... it is difficult to perform many tasks required to operate a sailing vessel wearing a life vest. ③ They are hot and uncomfortable, especially in tropic climates or in the summer ... people aren't going to wear them. ④ As a charter business, I would flatly lose business if this idea were put into law. People want to enjoy the sun and water without being wrapped up in a life vest. ⑤ As an American, I am perfectly able to decide when the wearing of a life vest is appropriate by myself without the unwanted

aid of the government. @ 99% of all accidents I have either personally witnessed or have heard or read about were directly caused by inexperience or outright stupidity. A lot of inexperience can be corrected by education, perhaps it is time to require a license for driving a boat, just as we do for cars. Stupidity, however, is something that is difficult, if not impossible, to cure and combined with a motor-driven vessel of any type causes trouble. What we need is not more life vests, but fewer motors ... ban jet skis and high speed motor boats.

In summary, no more mandatory requirements! Life vest wearing should be a matter of personal preference. I would gladly risk drowning to more regulations by the government.

Thanking you for your time, I remain,

Sincerely yours

Robert J. Petersen

Randy Lake
9285 Virginian Lane
La Mesa Ca 91941
(619) 462 7132

MAR 7 1998

March 4.1998

Executive Secretary
Marine Safety Council (G-LRA, 3406) (CGD 97-059)
U. S. Coast Guard Headquarters
2100 Second Street SW
Washington, DC 20593-000

Regarding: CGD **97-059**

Dear Sirs:

I have raced competition sailboats, and instructed and set up hundreds of sailing **clinics** all around **the** United States throughout my entire **life**. I **have also** worked very closely with the United States Sailing Association, and several Yacht Club Junior Sailing Programs concerning water safety issues.

My belief and my policies are that when you are on a sailboat, especially one that is intended to be **raced** you should be **wearing** your lifejacket. When I coach sailboat racing, on a powerboat, I wear a life jacket, not only for safety but also to show a good example to the people that **I** am coaching. However there are times that **I** do not wear a **life** jacket, those times **are** when there is no wind, **the** seas are calm and it is very hot out. In Southern California we call it the "tanning rule". Basically, as I see it, life jackets **should be** worn but there are times, with good judgment, that **the** life jacket **does not** need to be on, but it **should** be close at hand, not be in a plastic bag, in the anchor cabinet, down below the deck, or anyplace that it can not be quickly donned. Unfortunately, this is **usually** not the case, and there are many **unfortunate** drownings that occur in **the** arena of small boats.

409

My suggestion for a **non regulatory way to reduce the number of deaths at lower costs with less burden than a Federal regulatory requirement** follows:

I believe a Federal regulation requiring mandatory life jacket wearing is unnecessarily burdensome and expensive and will not be supported by the majority of the boating population. People **need** to be encouraged to wear lifejackets through boater safety courses or more comfortable **life jackets**. **Life jackets** have to be **immediately** assessable and not stowed away in some compartment of a **boat**.

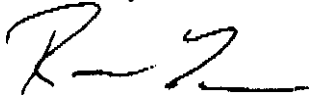
In almost all of the sailing clinics that I **have** been **hired** to teach around the United States I have found one thing in common with almost all lifejackets. They are stowed in a locker or some compartment out of sight. If they **are** on the topside of the boat they are usually old, **uncomfortable, wet**, oil soaked, and frequently are **tangled** under the gas lines or anchor ropes for the boat. **In** both situations the life jackets are not very conducive to being donned **when the** wind and waves are beginning to develop. **They** are either too hard to get at or so wet and dirty that most people would **rather** not put them on until it unfortunately becomes too late.

I believe that I **have the** solution to the problem; a **life jacket** that is comfortable to sit on, but is also comfortable to wear. If the lifejacket is comfortable to sit on it will be sat on or kept in a place near **the** occupants of the boat, not in a locker or the bilge water in the bottom of the boat. **If** the lifejacket is comfortable to wear they will probably **be** worn when **safety** becomes an issue. The nice thing about providing a lifejacket that will be sat on or kept nearby is **that** when a **person** is “too macho” to wear a life jacket, at the **very** least when the boat **capsizes** the life jacket will be alongside in the water. If the **person** is thrown out of the boat, the **life** jacket is immediately accessible **and** can be **thrown** to the person in **the** water.

I have designed a lifejacket **that** can be sat on or comfortably worn. I sent a prototype to **UL** Laboratories for certification and it **passed** all the **tests** as a **type III certified** device according to current **UL 1123** Standards for Marine Buoyant Devices. However **when** the United States Coast Guard **reviewed** the life jacket they said they would not allow it to become **certified** because it does not have “wearability”. The Coast Guard’s opinion was that a person would rather sit on it than wear it. They felt my lifejacket would encourage people not to wear **lifejackets**. But **the** way I see it, most people will never wear a **lifejacket**, so wouldn’t **be** better if **they** sat on it or had it close at hand, rather than locked away out of sight and mind? **With** the lifejacket close at hand they might be encouraged to put it on. and that is another step in the right **direction**. My lifejacket design will reduce **the** amount of boating deaths each year from **people** drowning because by the **very** nature of the design it will be close at hand and immediately **donnable** as a lifejacket. Boaters will purchase it because they are always looking for something soft and comfortable to **sit on**.

I believe the simple practicality of a dual purpose device such as this solves the problem of accessibility of life jackets and will result in **significant** life savings without burdensome regulations. There is no **boater around** who will **refuse** to sit on a soft comfortable scat **I** am interested in your **comments** and I will **be** glad to supply drawings or prototypes of **the** device.

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy Lake', with a stylized flourish at the end.

Randy Lake

Mr. L. Reynolds
7186 Silver Lode Lane
San Jose, California 95120
USA

Telephone 408 997 7814 Fax 408 268 2756

Executive Secretary,
Marine Safety Council (G-LRA, 3406) [CGD 97-0591
U.S. Coast Guard Headquarters.
2100 Second **Street** SW,
Washington, DC **20593-0001**

7 March 1998

Regarding your request for comments on PFD wearing by boaters

Dear sir,

The following conforms with your question format:

A. Boating activity of Commenter

1. Risks: For a person on a **sail boat** with a ballast keel, **less** than **1/100** th of the risk of driving a car.
2. Safe feeling: I would not feel "safe" in either circumstance . . . inappropriate question.
3. **Nuisance factor: Yes, PFDs**, when worn, are a nuisance. **The** only occasions I would wear PFD would be (a) when I considered the vessel to be in imminent **danger** of foundering, and (b) when Coast Guard craft are in sight. It would be removed and properly stowed when the Coast Guard were no longer in sight.
4. My boating: This is entirely sailboat cruising on a 39 foot sailboat equipped and rigged for navigating oceans and coastal waters. I make occasional inflatable dinghy trips by **rowing** from **anchorage** to shore. I have sailed **in** excess of 20,000 sea miles during **the** last thirty years on every ocean except the Indian Ocean. I sail in San Francisco Bay at least

four days each month and sail to Mexico once each year. I wear a safety harness and my boat has lifelines.

5. **Type 1 and type 4 PFDs.** Wearing a PFD while on a cruising sail boat is unacceptable because (a) it is hot in warm weather, (b) it is bulky, (c) inflatable **PFDs** are subject to damage and unreliability therefore giving the wearer a false sense of security, and (d) on a cruising sail boat, wearing a **PFD** is not as personally responsible as wearing a safety harness. Some crew may opt for a PFD instead of a safety harness and this is a foolish mistake.

B. Manual Wearing of PFDs

1. **Federal requirements: All** persons in all States who water-ski or use personal watercraft should wear **PFDs**.
2. **Suggested Coast Guard proposal: The U.S. Coast Guard** cannot save fools from themselves therefore water ski equipment and personal watercraft should carry **mandatory warning notices for operators of all ages**. These warning notices will tell the owner-if he or she is not the victim, and the parents, if the operator is a child, they will face heavy penalties if a fatal accident occurs and the operator was not wearing a PFD.
3. **Suggested Coast Guard requirements for vessel type:** Trying to regulate for size and type of vessel will be circumvented by new size **and type design modifications**. It is not practical for the Coast Guard to measure and assess every kind of water ski and Personal Watercraft, therefore water ski equipment and personal watercraft should carry mandatory warning notices as described in B2.
4. **Suggested Coast Guard requirements for age: Water ski** equipment and personal watercraft should carry mandatory warning notices as described in B2.
5. **Suggested Coast Guard requirements:** The regulations suggested are not economically enforceable for all boating activities. Water ski equipment and personal watercraft should carry mandatory warning notices as described in B2.

6. **Non-swimmers:** This is not practical and not enforceable. Water ski equipment and personal watercraft should carry mandatory warning notices as described in B2.
7. **Instances:** I recall no such instance.
8. **Unacceptable instances:** Wearing a PFD while on a cruising sail boat is unacceptable because (a) it is hot in warm weather, (b) it is bulky, (c) inflatable **PFDs** are subject to damage and unreliability therefore giving the wearer a false sense of security, and (d) on a cruising sail boat, wearing a **PFD** is not as personally responsible as wearing a safety harness. Some **crew** may opt for a **PFD** instead of a safety harness but this is a foolish mistake.
9. **Use of types of PFDs:** Yes, I understand the different uses.
10. **Federal regulations—Coast Guard proposals:** Water ski equipment and personal watercraft should carry mandatory warning notices as described in B2.
11. **Federal regulations:** None except above in B2.

C. General

1. **Benefits:** Immeasurably small because it's not enforceable and the Coast Guard can not save fools from themselves. The cost of regulations as described will grossly exceed the benefits.
2. **Low cost, effective solution:** Water ski equipment and personal watercraft should carry mandatory warning notices as described in B2.
3. **Other Ideas: No other ideas.**

Thank you for your attention.

Yours sincerely,

L. Reynolds



MAR 9 1998

JAMES E KARCH
821 DOCK ST 3-16
TACOMA, WA. 98402
(253) 627-4186

MARCH 8, 1998

RE: CGD 97-059 Request for comments on life jackets use

Executive Secretary MSC
G-LRA, 3406 / CDG-97-059
U.S. Coast Guard Headquarters
2100 Second Street SW
Washington, DC 20593.0001

SIRS,

A,1 I feel the risk are different each time I go out, current weather, the type of outing, fishing verse water skiing or sailing and the age or experience of my passenger are factors to be considered.

A,2 Yes, if I fell overboard wearing a life jacket is better than not.

A,3 Yes, In some cases it is mandatory on any vessel I skipper, this is of course depending on many factors at that time.

A,4 I am a very fortunate person that enjoys boating about 50 trips per year. This includes sailing and sail racing, water skiing on friends boats, and cruising with many fishing trips.

A,5 I carry a several styles of PFDs to suit varying needs, the most common are Type I and Type III, when offshore or during heavy weather I require (and supply) safety harnesses and set up proper jacklines. Most adults are aloud to make their own choice as to wear a PFD or not durring average conditions. Children under 16 are required to wear PFDs in the dingy and on outer deck areas. I require older children and ask adults who are new to boating to wear a PFD until they have a chance to get used to the boats motion.

B,1 Before I purchased my current 36' sail vessel I owned a 20' ski boat for 4 years. Every person who skied or tubed wore a PFD or did not go into the water, period. When a child or young adult was out we kept an adult at ready (PFD on) to go in case of an emergency (known as rescue swimmer). Luckily never needed. I feel all water sports participants should be wearing a PFD as well as small children at all times.

B,2 See above

B,3 none (excluding jet skis)

B,4 Children only

B,5 See above

B,6 Children only

B,7 N/A

B,8 Most are not comfortable, hot weather, or not needed under average conditions

B,9 Yes

B,10 Water sports, Small children

B,11 Water sports for persons in the water and possibly participants of a sail boat race.

C,1 I do not feel mandatory life jackets are needed as much as educating skippers or boat owners. It has been my experience that most knowledgeable skippers judge circumstances and make good choices. If mandatory requirements are needed then it should be to require a basic boating course.

James E. Karch
411

MAR 17 1998

March 16, 1998

Executive Secretary
Marine safety Council (G-LRA, 3406) (CGD 97-059)
U.S. Coast Guard Headquarters
2100 second street SW
Washington, DC 20593-0001

Dear s i r s :

I have the following comments concerning notice CGD-97-059, the proposal for Federal requirements or incentives for recreational boaters to wear life-jackets (PFDs).

Question A4: My recreational boating consists of two major types: day-sails in my dim 28' sailboat and outrigger canoe paddling. Both take place in the near shore and harbor waters of Ventura, CA. Typically, I will engage in each activity 1-4 times per month. I am a member of the Hukuloa Outrigger Canoe Club based in Ventura. This is a recreational and racing club participating in year round paddling, including a schedule of 12 races during the summer held in the near shore waters of various Southern California ports. Club members who participate in races also usually train 2-3 days per week in these same waters.

Question A3: A requirement to wear PFDs while in an outrigger canoe could have several negative effects. 1) Chafing and restriction of movement. Outrigger canoeing is a very active sport consisting of practices and races of constant paddling of up to two hours duration. The type of PFD worn could reduce the enjoyment and endurance of a paddler while practicing or racing by chafing of an ill-fitting PFD or continual restriction of movement by the wrong type of PFD. This may cause some people to avoid a sport they would otherwise enjoy. 2) There is some danger of hyperthermia caused by wearing a PFD that covers too much of the torso. A paddler generates considerable internal heat during practice or racing and this must be dissipated. Typical paddling attire is a very light and breathable fabric for this reason. Paddling on hot summer day with a too restrictive PFD could be just as hazardous as falling overboard in the winter without any PFD. 3) Price. Although both of the above problems could probably be best avoided by wearing an inflatable PFD, these are also the most expensive type. This added cost may cause some people to avoid participating in the sport, especially among our youth paddlers (age 12-18) who are generally funded by their parents.

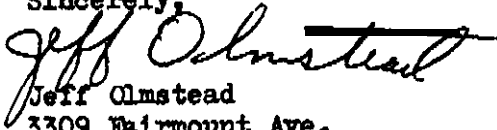
Question A5: On both my own boat and in the canoes we carry Type II buoyant vests for all persons on board. I do not wear a PFD on my sailboat because my sailing is usually done during daylight and in good weather when there is low risk of falling overboard. My sailboat also has double lifelines to keep people on board. We do not wear PFDs while paddling canoes for the reasons given above. Tradition also plays some part in not wearing PFDs while paddling. Outrigger canoeing has been used by Polynesian peoples for hundreds of years not only as a sport and for recreation but as a basic means of transportation. Although some were no doubt lost at sea due to lack of PFDs, they survived to this day by recognizing and accepting the risks of their environment. By participating in the sport today, paddlers are recognizing and accepting these same risks, while at the same time taking reasonable precautions to mitigate them.

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Question C2: I think education of the boating public about the hazards of boating, safe boating practices, and the proper use, advantages, and applications of different types of PFDs is a better solution than a "one rule fits all" requirement for all persons to wear PFDs at all times on the water. The USCG Auxiliary and the US Power Squadron are two entities already in existence that could be used this way, with increased funding if necessary. If new boats or watercraft are not already required to come equipped with PFDs, perhaps manufacturers could be persuaded to voluntarily provide them as standard equipment, and used boat dealers could insure that all their sales include PFDs in the boat's inventory of gear.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Jeff Olmstead". The signature is written in dark ink and is positioned above the typed name and address.

Jeff Olmstead
3309 Fairmount Ave.
La Crescenta, CA 91214

March 19, 1998

Executive Secretary

Marine Safety Council (G-LRA, 3406) (CGD 97-059)
 U.S. Coast Guard Headquarters
 2100 Second Street SW
 Washington, DC 20593-0001

Dear Secretary:

I have just learned that you are seeking public comments on pending decision concerning PFDs. I hope that I am not too late to have my comments considered.

A. 1. I believe that recreation boating involves a moderate degree of risk. The risk is certainly less than operating a motor vehicle, and probably less than sky diving and several other sports. One of the reasons for the relatively large number of recreational boating deaths is the large number of people engaged in recreational boating. There is risk involved in living life. The more one lives life the more risk they are likely to encounter. Removing reasonable risk from our lives kills the dynamic, risk taking attitude that made this country great. Our ancestors did not come here because they were intent on avoiding all risk.

A.2. No

A.3. Depending on the requirement, it might make me a law breaker. My wife and I currently always wear a PFD when we are underway. However, the PFD is comfortable and not CG approved. If we were required to wear an uncomfortable PFD because of some law we would most likely ignore the law.

A.4. We have been boating for over 30 years, during which time we have raced small sail boats and have move up to larger sailboats. We currently live aboard our 40 foot sail boat. For the past few years we have cruised our boat on average of about one weekend a month and two week on vacation. We also operate a variety of small sailboats and outboard motor powered dinghies. Most of our sailing is on San Francisco Bay, the Delta, and the California coast.

A.5. We carry a CG approved life jacket for each person on board - which are seldom worn. We (my wife and I cruise by ourselves about 90% of the time) each have an inflatable "fanny pack" type life vest that we wear whenever we are underway, except in more risky situations - where we each wear self inflating vests with built in safety harnesses. The "fanny packs" and self inflating vests are not CG approved.

B.1,2,3,4,5,6. The Coast Guard should make no additional regulations. Positive suggestion for reducing fatalities are presented later.

B.7. No, but I have had experiences where I was glad I was wearing a PFD.

B.8. No knowledge.

B.9. Yes

B.10. No new regulations.

B.11. None

C.1. It's not a question of cost or benefits; it a question of personal choice and keeping government control in check. To keep freedom and the spirit that has made this country great we need to allow people to choose for themselves what risk they are willing to take. The attitude of trying to take the risk out of live is creating the expectation in new generations that the government should take care of us and that there should be no risk in life.

C.2. I think that lower cost might be the wrong goal. I believe that low cost PFD are a big part of the current problem of people not wearing PFDs.


C.3. Current laws require PFDs to be aboard. These requirements should be strictly enforced. Another thing that I believe would help a lot is to disallow the inexpensive bulky (kapok, or whatever) live vests that a great many people use to satisfy the requirement to have PFDs aboard. These life vests are manufactured, sold, and kept aboard only to satisfy the legal requirement for PFDs; virtually no one wears them! I believe that if one were required to purchase and have aboard a comfortable, attractive, non-bulky PFD many more people would wear them - especially when they are needed.

For many people, the message about PFDs is mixed. On one hand, the Coast Guard has approved ugly, bulky, cheap, and uncomfortable PFDs that no one will voluntarily wear. On the other hand public education campaigns encourage people to wear PFDs. Many people don't recognize that there are vast choices and differences in PFDs available. In some cases, the only PFDs they have ever seen are the bulky orange kind. Many people feel that the Coast Guard can't possibly be serious about wearing PFDs if they approve those uncomfortable devices as PFDs.

As far as cost is concerned. A quality life vest is a small price when compared to the cost of a boat or most any other item of boating equipment. If the cheap, uncomfortable vests were not available people would not be tempted to satisfy the law by buying something that they will never wear. And, if we did away with the cheap kapok vests the huge market for quality vests would bring the cost down even lower. If the government is really serious about getting people to wear life vests they might institute a tax credit of some sort for the purchase of comfortable life vests. I know, this last sentence is a joke.

Sincerely,

Jeff Huntington



909 Marina Village Pkwy.#504
Alameda, CA 94501

Executive Secretary,

^{Low}
MAR 20 8 1998

This is in response to consideration of Mandabay life jacket wearing. I am opposed to this. I am on a 25' boat at least 5 days a week for 4-8 hours. I know when to put my life jacket on and do wear it when conditions present themselves. I have one of the new approval inflatables and it's quite comfortable. Though it would look terrible with a bikini and if this were mandated would likely be in violation a lot!! I think the key here is education. Knowing when to put it on and more importantly ... doing so. The horse collar type jacket is too bulky to wear when fishing and the inflatables are cost prohibitive for most boaters so really we would be setting people up to be fined by approving such a law.

Thank you

Sheila Rowden

Sheila Rowden

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MAR 23 1998

March 23, 1998

Executive Secretary
Marine Safety Council (G-LRA, 3406) [CGD97-059]
U.S. Coast Guard Headquarters
2100 Second Street SW
Washington, D.C. 20593-0001

RE: Mandatory Life Jackets

Concerned person(s):

A. BOATING ACTIVITY COMMENTS

1. HOW MUCH RISK DO YOU BELIEVE RECREATIONAL BOATING INVOLVES?
Recreational boating does **present certain risks**. Snow skiing, Roller **Blading**, Bike Riding, Jogging, Hiking, Baseball Playing and Golf also all **present certain** risks. Adequate preparation **for** participation **in** any or **all** of **these** activities should **minimize** risk, but NOT eliminate it. It would **seem** impossible to quantify any risk levels in any of the above.
2. IF I FELL OVERBOARD, WOULD I FEEL JUST AS SAFE IF SOMEONE THREW ME A LIFE-RING OR BUOYANT CUSHION AS I WOULD WITH A STANDARD JACKET STYLE?
No doubt **the feel** of a "jacket" around a persons **entire** torso might **render** a **more secure** feeling than that of wrestling **with** a cushion or **ring**. **However**, sea conditions, perceived **activities**, etc. would have an impact on **this** answer. In light **conditions**, with **warm** air and water **temperatures**, a ring or cushion would **no** doubt be adequate. In "rough seas", with cold air/water **conditions and** activities such as "hiking out" on a **catamaran**, a jacket would **seem more appropriate**. **There** simply isn't a fair and equitable answer to **fit** all occasions.
3. WOULD A **REQUIREMENT** AFFECT MY PARTICIPATION IN RECREATIONAL BOATING?
Definitely! One of the reasons I enjoy **boating** so much **is** that it represents one of the **last true** "freedoms" of the common man. Coast Guard **intrusions** on privacy **in** the **name** of "**drug** enforcement", accidental spills, and **other** considerations have picked away at this "**freedom**". Instituting a **requirement** to wear **PFD's** **is an un-necessary additional intrusion** on the boating community, which would lead to even more intrusions on privacy. When do we get to the point **where** sailboats are only allowed out on Wednesday, Friday and Sunday, powerboats on **Tuesday**, Thursday and Saturday and only "**official vessels**" are **allowed** on Monday? Why not **have** beach-walkers wear **PFD's**? Too much **regulation** is NOT a good thing!
4. REASON FOR BOATING, ETC.
I usually go **boating near** the Marina in **which** I keep my **vessel**. Usually I go out for the relaxation and escape **from the** silliness and foolishness of some of the aspects of the on-shore life. This may result in a short two-hour sail, **an** entire day of sail, or a trip to a local destination for an overnight stay. Boating provides **excitement**, adventure, change of **scene**, privacy. **self-reliance**, **peace**, **quiet**, noise, **revelry**, accomplishment, therapy and **more**. **Racing** is an activity I rarely **take part in**, but have enjoyed doing when I have **been involved**. Mostly, I like **the** camaraderie of the boating **scene** and the related activities, while **being** able to **maintain independence**, privacy and the **ability** to "**get** away from it all" as I may please. That **includes boardings**, inspections and other **mandated intrusions**.

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5. TYPB PPD'S CARRIED ON BOARD

I comply with the Coast Guard requirement for type and **number** of PFD's carried on my vessel. In addition to the "required" PFD's I **also carry** the newly approved **inflatable** harness type so that I, or my crew, can **move** about **the vessel in** moderate to rough **sea** conditions **in relative** safety. I **also carry** a **throwable device** which resembles a **Frisbee**, for **retrieving overboards, in addition** to the "U" shaped flotation device, which is **required**. A "Life **Sling**" is also aboard for **retrieving purposes**.

B. MANUAL WEARING OF PFD'S

1. SHOULD THE COAST GUARD IMPOSE FEDERAL REQUIREMENTS

In the many **years** that I was a water-skier in California and Arizona, we always wore **lifejackets** while **skiing**. I have **not** observed any jet-skiers **without** life **jackets**. **In California and Arizona it is already** a requirement. If not a **requirement** **In some other States**, it **perhaps should be made** a **requirement**. Children who **CANNOT** SWIM should be required to **wear** PFD's on a boat.

2. WHAT FEDERAL REQ'MTS SHOULD THE C.G. IMPOSE?

Other than **the** above, NONE. **The** skipper of a **vessel** should judge **the** conditions and the **activities** and **determine** if and who **should** wear PFD's. If any **requirement is** Imposed it should be one of a safety boating class. **There is already** incentive to do this as most insurance companies **offer** a discounted rate to **those** who can produce documents showing they have completed such a class.

3. WHAT FED REQ'MTS INVOLVING SIZES/TYPES?

Again, I feel NONE is appropriate, **requiring** the skipper to **determine if and** who should **be** wearing PFD's, depending on conditions, and/or **activities**. I may be mis-informed but I **believe** that I read that the incidence of fatalities **and injuries** leading to the consideration of mandatory **life jackets is** acutely higher on lakes and **inland** waterways **than in** the **Marinas/ Harbors** and **the seas** of the West Coast. It might **be** more a **regional consideration** than a size, age, etc. As a **percentage** of the number of boats using a **given** area I would tend to **believe** the lakes and **inland** waterways have a greater **percentage** of problems. Also, as to **the percentage** of total **watercraft** in **use**, it seems that **smaller** faster **craft, and in specific** "personal water **crafts**" are most involved in **the** problem.

4. WHAT FED. REQ'MTS RELATED TO AGES?

Any child who cannot swim should be required to **wear** a PFD. Adults on **PWC's** who cannot swim should **be** required to **wear** a PFD. Other than that, NONE.

5. WHAT FED REQ'MTS RELATED TO CHILDREN?

NONE. See above.

6. SWIMMERS/NON-SWIMMERS

Sw #4 above. It should **be incumbent** upon **the** skipper of a **vessel** to identify who can swim and who cannot. **before** taking **persons** out on a boat It should **be recommended** that **all** non-swimmers wear PFD's at **all** times while in a boat. It should not be a **requirement**, except for **non-swimmer** children This determination should be made by the **skipper**, depending on the conditions of the water, **atmosphere, size** and **type** of **craft, and activities** to **be** involved.

7. WISH THEY WOULD HAVE WORN A PFD

Bill Klein, San **Francisco** and **other** various **sea-farers** who have fallen overboard **in** conditions **where** **water** conditions (**roughness/temperature**), type of boat, etc. would render retrieval **difficult** or **impossible**.

8. UNACCEPTABLE CONDITIONS FOR WEARING PFD'S

Boating on a warm day, **in** calm **conditions**, and seeking to get or improve a tan, is NOT. **time** to **be wearing a** PFD. PFD's **make** you sweat and covers areas of your body you **wish** to tan. They **are bulky** and **uncomfortable** even in **conditions** which warrant **the** wearing of a PFD. **Also, while racing** or **doing** some **vigorous sailing**, a PFD gets **in** the way. It **is** easier to describe conditions **in which** to wear one, than **those** which are "**unacceptable**". Cold, rough **conditions, with the** danger **of sinking** or falling overboard imminent would seem to be a prudent **time** to **wear** a PFD. **Other than** that **the** skipper of a **given** vessel should make the call, **except** as otherwise **described** above.

9. AWARE OF INTENDED USES/LIMITATIONS?

Yes

10. WHAT FED REQ'M'TS SHOULD C.G. PROPOSE UNDER ANY CONDITIONS?

NONE. Except as **described** above, it should **be the skipper's call on** when and who should don PFD's.

11. DESCRIBE OTHER ACTIVITIES/CONDITIONS C.O. SHOULD PROPOSE PFD'S

NONE.

C. GENERAL

1. WHAT BENEFITS/COSTS WOULD ACCRUE?

Cost is probably not going to be much of a factor, as **there** are already PFD requirements as to the **type** and number to be kept on board. Cost and paperwork may be a factor **in monitoring** and enforcement. It has not been **established that the** wearing of a PFD is actually going to save many, or any, **more lives** than **are currently** lost in boating pursuits. **Indeed** many died while wearing a PFD. I don't **see** any benefit, per se, but the addition of yet **another** level of sea-born **beaurocracy is certainly** not a welcome consideration. And along **with** any **beaurocracy comes cost**, which **equals** taxes, **which pisses off** tax payers and becomes one more burden for the **boating public** to concern itself with. If **the** statement could be made **that** lost lives would decrease by 90%. **perhaps** this could fly. But **the** imposition of PFD's as a **requirement** only guarantees **hassel**, intrusions on **privacy and beaurocracy**. It **cannot guarantee** the saving of even one more life!

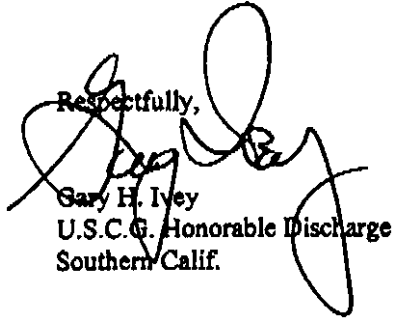
2. NONREGULATORY WAY TO REDUCE DROWNING DEATHS

First, regulation **is** NOT **going** to **diminish** drowning deaths. **The** only **possible** way to **diminish** deaths by drowning **is** by education. **In** schools (**public** education) and in **the** boating **community**. The discounting of insurance **rates** for boaters who have **completed** a "safe boating" **course is an incentive**. The media should continue to **print** any and all information about **drowning deaths**, the causes, **the** results to all **parties** and **probable** conclusions for **the** reason for **the occurrence** and to alleviate **it in the** future. PFD's won't stop unsafe boating, only education will. Regulating PFD's will NOT **improve the** knowledge, safety awareness **or results** of the **current** statistics to any great degree. only education will.

3. ANY OTHER INFORMATION TO REDUCE DEATHS/COSTS/BURDEN ON C.G./STATES/BOATERS.

Although I am not a big fan of "licensing", this may be a **step** in that direction. At **least** the requirement by an **Insurance** company, or **licensing entity** (boating registrations). to prove completion of a **boating** safety class could provide valuable education. A **requirement** to attend and **successfully complete** Coast Guard Power Squadron class, or equivalent, **might** do it. Getting information on safe boating to those who need it is quite likely to be more cost effective and **achieve the desired** result than **mandating the** wearing of a PFD. Once **again**, a PFD cannot avoid the situation which requires it's use. Education can, and could at least advise as to when it's use **is** advised. **It** is up to boat skippers in **general** to implement the actions and/or use of PFD's in such a manner as to reduce drowning deaths.

Respectfully,

A handwritten signature in black ink, appearing to read "Gary H. Ivey". The signature is stylized with large loops and a long horizontal stroke at the end.

Gary H. Ivey
U.S.C.G. Honorable Discharge
Southern Calif.

March 23, 1998

Executive Secretary
 Marine Safety Council (G-LRA,3406) (CGD 97-059)
 us coast Guard Headquarters
 2100 Second St. SW
 Washington, DC 205932-0001

Re: Notice CGD 97-059

Dear Sir:

I am a recreational boater, 65 years of age. I have been around boats all my life. I have taught numerous sailing, boating safety, and small boat handling programs for boating organizations and municipal programs. Also I have served as Principal Race Officer for nearly 50 sailboat regattas. It is common for instructors to require life jacket use for students as well as instructors. It is also common for race committees to require participants wearing PFD's when the weather conditions warrant. Nonetheless it is the personal responsibility of the boater to decide to wear a PFD when there is risk. This is just simple common sense. I do not believe it is the business of the Federal Government to go about passing laws to enforce common sense.

A Federal law requiring boaters to wear PFD's at all times will certainly save lives, but the primary result will be the harassment of the citizens. Similarly, Coast Guard Policy of conducting on the water "safety inspections" results in needless harassment of citizens. No matter how well intentioned, such policies violate the spirit of our Constitution.

A. BOATING ACTIVITY OF COHMENTER

1. Recreational boating can involve considerable risk.
2. A standard life jacket is always more safe than ring or cushion.
3. A requirement would not affect my participation.
4. I go boating from 16 to 36 days a year, mostly railing club activities, usually on inland lakes and coastal venues.
5. We always carry Type 2 jackets and wear them when there is the possibility of capsizing or there would be the slightest difficulty in retrieving someone who went overboard.

B. MANUAL WEARING OF PFD'S

1. The Coast Guard should not propose any federal standards for wearing PFD's. Such laws are best left to the states.
2. Regardless of the type of boating activity it is not the business of the federal government to require PFD use.
3. Regardless of the size or type of boat it is not the business of the federal government to require PFD use.
4. No PFD requirements should be proposed based on fatality stats.
5. It is not the federal government's responsibility to require PFD use by children, That is the parent's responsibility.
6. The Coast Guard cannot determine who is a swimmer. There are too many variables, such as age, physical condition, water conditions.

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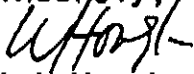
7. I have not encountered an instance where a person should have worn a PFD, but didn't. But I'm sure ~~such~~ things happen.
8. PFD's are unacceptable or undeeireable in calm conditions for a swimmer. Many experienced board sailors don't like them, ~~since~~ their rig floats anyway. In very hot weather PFD's would be most uncomfortable. Below decks on a vessel, PFD's would be unacceptable in anything but extreme weather.
9. I am aware of the variety of PFD's in USCG regs.
10. No federal requirements are necessary.
11. The only Federal requirement for wearing PFD's should apply to USCG members. These already exist.

C. GENERAL

1. Federal requirements to wear PFD's would ~~save~~ some lives. The costs would be excessive and a misdirection of the USCG mission. You already annoy innocent boaters enough. This ~~damages~~ your credibility and will result in public sentiment to reduce Coast Guard funding.
2. Public education would reduce the number of deaths by drowning. Boating organizations face liability factors which insure that safety is the priority. Private boaters are also responsible for their passengers safety and can be sued. The law already can be very hard on the irresponsible boater. But the federal government can't protect us from ~~errors~~ in judgement without reducing personal freedom, in this case, needlessly.
3. The Coast Guard al ready has enough to do without enforcing mandatory PFD use. Such enforcement will anger ~~some~~ boater8 and undermine public support for the Coast Guard.

If the Coast Guard should recommend mandatory PFD use to ~~save~~ lives, by the same train of "logic" perhaps the Coast Guard wi 11 decide next to outlaw all recreational boating. Think of all the lives and money you will save ~~then!~~ Rescue boaters in distress, aid navigation, pursue omugglere, defend our ~~shores~~. Leave personal responsibility to the citizens.

Sincerely,



Wade Houah
PO Box 881
Palermo. CA 96988

To: Rear Adm. E.R. Riutta Date: Feb. 9, 1998
From: Bill Andrew, 103 Forecastle Court, Washington, N.C. 27889 FEB 9 1998
Subject: Federal Register, 1/8CJD 97-059 3/8.

I am strongly against the proposal that a life jacket be worn at all times by boaters. In forty years of boating, I know of no personal friends that have lost their lives due to not wearing a life jacket. I do believe that all operators and passengers of high speed boats (over 40 mph?) should be required to wear jackets.

Be *OK*
2/9/98

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MAR 12 1998

Tom Bole

816 Alicon St
Oakland California 94608

owner

Wood Street Boat Works
1618 Wood St.
Oakland California 94607

Notice CGD 97-059

My overall opinion is that - the education i.e. mandatory Coast Guard Safety Classes - the need for new legislation requiring mandatory PFD would not exist.

Answers / Responses to Survey:

1. If varies with the events participated in i.e. Racing - higher risk than "Gunk-holing" on the delta.

2. NO - are there competent people on Board - is anyone else on Board??

3. If you no prevent my from participating

But It would hamper movement on

Boards

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4) I find myself Boating 20 times a year
Spending most of that time in the Sacramento
Delta area, swimming, and some water skiing

5) I carry plenty of Type III and ^{second} Type IV
Devices. Children are required to wear a
PFD. Others do at times deemed necessary
by the captain.

B 1) I don't think any new Laws are required. It
is ~~was~~ up to the individual participating in boating
activities to know the Laws of that state.

2) None - except ^{water} skiing

3) None - except personal watercraft

4) None - except children - under 12 years

5) mandatory under 12 years

6) none as it is not possible to determine
swimming ability

7) —

9) The bulkiness of the devices hamper common movement which could cause a person to fall into the water.

9) Yes

10) —

11) —

C. . . 1) No new laws restricting personal freedoms

2) Requiring mandatory education before issuing a registration certificate. i.e. Coast Guard Safety class.

3) —

201 Touchstone Place
West Sacramento, California 95691

March 23, 1998

Executive Secretary, Marine Safety Council
U.S. Coast Guard Headquarters
2100 Second St. SW
Washington, DC 20593-0001

Re: CGD 97-059 (Mandatory Lifejacket Rulemaking)

Dear Sir:

As a sailboat owner and sailor for some 20 years, I wish to strongly register my opposition to the proposed federal mandatory lifejacket regulation. My reasons are as follow:

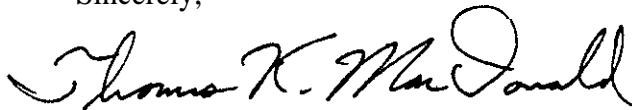
- (1) I do not believe this is a valid or warranted federal government incursion in the lives of individuals. In keeping with other precedents for leaving such matters for the states to decide for themselves (e.g., highway speed limits, motorcycle helmet laws, etc.), there is not a compelling case for federal government control here.
- (2) The government's own statistics acknowledge that deaths from recreational boating represent a **declining** problem, not one that calls for heavy-handed government action.
- (3) The number of lives lost in boating accidents in the U.S., compared with other mortality categories, does not indicate that boating is a sufficiently hazardous activity to require such untoward intervention by the federal government. (For example, for every life lost in recreational boating, there are over **50 suicides!**)
- (4) Boating conditions vary widely as to the degree of risk factor, such that a blanket regulation requiring lifejackets to be worn under all conditions -- in **order** to assure they are in place during the relatively rare hazardous circumstance -- is clearly regulatory overkill.
- (5) Existing law requiring adequate lifejackets to be carried on all **watercraft** is sufficient regulation, leaving individual responsibility and discretion to determine which circumstances **dictate wearing** the lifejackets.
- (6) Those of us who practice safe boating (including the wearing of lifejackets when conditions suggest so) do **not** deserve this type of "big brother" intervention telling us what we must do to protect ourselves. I personally have invested \$200 in a special PFD for my sailing activity, which I certainly believe to be a worthwhile expenditure. I fully

CGD 97-059 comments (pg. 2)

intend to continue wearing this PFD whenever conditions warrant, but I resent any move by government officials to require me to wear it at all times.

(7) The proliferation of routine Coast Guard boarding of private vessels is already causing an erosion of boater support and respect for the Coast Guard in the Northern California area. This rulemaking can only engender further loss of public faith in the Coast Guard, and add to the growing trend of suspicion and animosity causing this once highly regarded branch of government service to become viewed more as a waterborne police force.

Sincerely,

A handwritten signature in black ink that reads "Thomas K. MacDonald". The signature is written in a cursive, flowing style.

Thomas K. MacDonald

cc: Senator Diane Feinstein
Senator Barbara Boxer
Congressman **Vic Fazio**

MAR 26 1998

March 24, 1998

Executive Secretary
Marine Safety Council
U.S. Coast Guard Headquarters
2100 Second Street, S.W.
Washington, D.C. 20593

Sir:

I am unequivocally opposed to any law which would require me to wear a PFD while sailing. When condition warrant **PFDs**, we wear them. When conditions don't, we don't, Leave me alone to exercise my own judgement.

Sincerely,

A handwritten signature in black ink that reads "Jack Mahaney". The signature is written in a cursive style with a vertical line at the end of the name.

Jack Mahaney
752 Malwood Drive
Macon, GA 31204

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APR 2 1998

April 1, 1998

Executive Secretary
Marine Safety Council
(G-LRA, 3406) [CGD-97-059]
U.S. Coast Guard Headquarters
2100 Second St., SW
Washington, DC 20593-0001

Dear Secretary;

Please include this letter of comment (made in response to the request for comments IAW Federal Register, 33 CFR Part 175) in the information package used by those persons involved in the deliberations concerning Federal requirements or incentives for boaters to wear lifejackets.

My name is Phil Parish, I am 57 years old and have been involved in water related activities for 50 years. At the age of 5 or 6 I began fishing frequently with my father on lakes throughout the state of Michigan. At the age of 13. I owned my own 12' Thompson Runabout powered by **an Evenrude** 25 hp. outboard motor. I and my friends were always on the water and we started the first water-skiing activities in the **1950's** at the lake where we lived

I continued "playing" on the lake until 1959, when I enlisted in the United States Navy. While in the Navy I served on submarines, a cruiser, destroyers, destroyer tender **and I commanded an** ocean Going Minesweeper of 178' in length. I began recreational sailing in 1967, introducing that activity to my wife and 2 **children** aged 6 and 3. We sailed in 20-21 foot sailboats in Rhode Island, Virginia, Florida and California. Upon **retirement from** the Navy in 1981, my wife and I sailed for the South Pacific in our 40 foot sailing vessel. After two trips from California to the South **Pacific**, as far as New Zealand and back we purchased our current "home" a 49' cutter rigged sailboat and we are **on** our third voyage in Pacific waters. Currently we are **wintering** in Hawaii having sailed north from Tahiti. It seems that we've gone **full** circle since now we have grandchildren ages 6 and 3 frequently sailing with us. In addition to our 49' **sailboat our current** boat inventory includes a 13' inflatable with a 15 hp. outboard **motor**.

In all the years on the water no accidents have occurred nor has anyone been seriously injured **on** any of my vessels. Lifejackets are readily available for anyone who feels they want to wear one. The children are required to wear **PFDs** when on the dock or boat underway whenever out of the cockpit. Should I ever **find** myself in a **situation** where I thought it necessary I would require all aboard to **don** a lifejacket. I do not want the Federal **Government** to require me to do so at all times. Specific comments concerning your **formatted questions follow**:

A. Boating Activity of **Commenter**.

1. Risk. **Obviously there** is **an inherent** risk involved in boating, imposed **by the** vagaries of nature and **of the** medium itself. Therefore, some requirement **for** one mission **of the** Coast Guard. Perhaps it is the adventure of dealing with this risk that takes us from the security of our home to the natural water **environment**. The greater risk is **born** by the action of some individuals involved in the activity-recklessness, alcohol, and disregard for safety. There is no risk in an automobile until you put a driver behind the wheel. **Normally** people don't drive until they've been trained and still it is the most **hazardous** form of transportation.

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People don't climb mountains until they've been trained. **People** do buy boats and operate them often with no training nor experience.

2. If I fell overboard I would feel safe wearing a Type IV PFD however, if I had been unconscious when going overboard, a Type I, II, III, or V PFD would have been the better choice

3. Requirement **for** wearing a PFD would undoubtedly **affect** my participation in recreational boating as it would make me a target for **every** law **enforcement officer** and Coast **Guard** **man** **afloat**. There is possibly a time in every boat operators **life** when it's time for all aboard to be required to **don** lifejackets - but (for example) at 9 a.m., **on** a Sunday morning, no wind, no waves, no **traffic** in the harbor, it would be ridiculous to require the passengers of a **70' motor-yacht underway** in Newport Harbor in California, transiting from Bahia Corinthian Yacht Club to the Balboa Bay Yacht Club **for** Sunday morning brunch to wear Type 1 or II **PFDs** over their **finest** yachting attire. **Government** Legislation could require **this!**

4. My Boating experience is documented in the initial paragraph.

5. On board my vessel there are 4 each - Type **I**, **10** each -Type II, 2 each -Type III, and 2 each - Type IV **PFDs**. Normally no one wears a PFD aboard. **Exceptions include** small children at direction of parents and any guests who request to do so.

B. Manual Wearing of **PFDs** - This entire **section (Para 1. thru 11.)** deals with questions of need for Federal Legislation concerning requirements **for** wearing **PFDs**. In each case, I **oppose** Federal Law on this subject. Effective education would go far in achieving the desired goal. On water policing of reckless and dangerous vessel operation would in my opinion, reduce the number of drownings nationally.

Note: Detailed statistics and causes of **fatal** accidents (drownings) are not available to me; however, I expect speed, alcohol, and/or **reckless** operation would **be** found to be a factor in many (all?) cases.

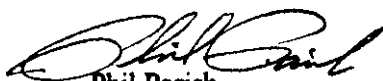
C. General

1. I believe Federal **Requirements** for wearing of **PFDs** would have no **benefit** to anyone.

2. Effective education of **vessel** operators is perhaps **one** answer to the problem. **n**, perhaps the Insurance Industry could be convinced to **offer significant** premium **advantages** to those subscribers who complete a comprehensive boating **safety** course. Then a comprehensive boating **safety** course would need to be established and accredited. Coast Guard Auxiliary and US. Power Squadron courses are in existence but are weak. Television programing could be helpful - it sells beer and **fast-food** - "**infomercial**" type programs could possibly work. Expense to government would accrue but **not** to the public.

3. I hesitate to offer this, but perhaps a Federal requirement that States initiate a boat operator licensing program would do more to approach the goal of reducing boating deaths than would a Federal Law **requiring** the wearing of lifejackets. Educate by every means possible.

Sincerely,


Phil Parish
826 Orange Avenue #255
Coronado, CA 92118

APR 3 1998

David J. Hickey, Jr.
74 Rooyal Street
Quincy, MA 02 170

Executive Secretary
Marine Safety Council (G-LTRA, 3406) [CGD 97-059]
US Coast Guard Headquarters
2 100 Second Street SW
Washington, DC 20593-0001

Dear Executive Secretary:

This letter is a response to your request for comments on the lifejacket issue. It is based on a reprint of your document which appeared in *Latitude* 38, March 1998 edition. In the interest of brevity the questions have not been re-typed.

A Boating Activity of Commenter

1. A very limited risk is required in recreational boating
2. I believe that I would feel as safe with a Type IV PFD as I would with a standard lifejacket providing the conditions allowed me to retrieve the throwable device.
3. I enjoy recreational boating so much that any government requirements would not affect my participation. Such requirements would however dishearten my faith in this country.
4. I enjoy all on the water recreational activities. Primarily I sail boats ranging from dingies to 40 footers in and around Boston Harbor and along the Massachusetts coast, occasionally in the Caribbean. I am on the water twice a week minimum during the New England Season. I would say that 75% of my sailing involves racing.
5. I make sure that there is a Type I, II or III PFD for each person on board in conformance with Coast Guard regulations whenever I go on the water. I must admit that I seldom wear a PFD and I leave the decision to my crew as to when they should wear PFD's.

B Manual Wearing of PFDs

1. I feel the existing regulations, which assure that there is adequate safety protection on board is the only government regulation that is necessary. This protects those with less experience and leaves the ultimate responsibility with the individual, where it belongs.
2. None. I feel it is unfairly discriminating to any one category or activity. Without going into a long tirade I believe that there will always be a few people who will disregard common sense in all categories (life as well as boating). There is no way to correct this other than continued efforts on education.
3. None, see above. The only fair requirement that I can envision may be a requirement to wear PFD's in high wind or sea conditions.

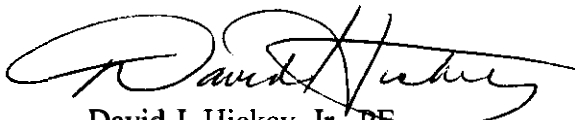
4. None, see above. The only groups of people that should be protected by the government are those that can not fully protect themselves, such and children (under 13) and possibly handicap.
5. See above.
6. Any person who participates in water activities should be required to pass a minimum swimming competence requirement. I personally would prefer it if this responsibility was left to the individual and not the bureaucrats.
7. I have seen several people go into Boston Harbor, most not wearing PFDs. I can't say that I or they were particularly affected by those events. I do know that one guy who fell in twice now wears a lifejacket in all but the most benign conditions.
8. I have a strong opinion that any mandatory requirements to wear PFDs will make for uncomfortable and undesirable situations on hot summer days when the wind is less than 10 knots.
9. I am aware that the most flotation I provided in the Type I vests which are primarily used for offshore uses. Type II and III are slightly less buoyant and are intended for near shore uses, Type IV are throwable devices and type V are for special uses. It is my understanding that the Coast Guard requires one of the Type I, II, III or V for each person on board. Additionally a type IV is required for boats greater than 16 feet.
10. As previously stated I don't think the Coast Guard should regulate any activities. The only area that I would consider, would be activities that leave a person winded or reduced in strength or stamina. But I would prefer that the individual make this decision.
11. None.

C. General

1. I would estimate that a reduction of 5 to 15% of the drowning deaths. I believe this because I think there is a certain amount of cases that can not be eliminated for a wide variety of reasons and because I think there would be a significant compliance problem. The people of this country do not want additional regulations!
2. Education (safety, navigation and swimming classes) and encouragement (good Samaritan and safety awards).
3. Yes, leave well enough alone. In general people on the water are prudent and respectful of their environment. Let them make the appropriate decision for the conditions on any given day for the given their experience and situations.

In closing, I want to thank you not only for the good work and diligence on the safety topic but more importantly for soliciting comments on the subject.

Respectfully,



David J. Hickey, Jr., PE

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APR 2 1999

Wayne Kelly 41K Bayview Rd. Castroville, Ca. 95012

Regarding Request For Comment CGD 97-059

A1. I believe recreational boating involves little risk to the knowledgeable mariner & serious risk to the careless, novice.

A2. I would feel just as comfortable if someone threw me a type IV PFD if I knew help would be readily coming shortly.

A3. A requirement of wearing a PFD would make my boating experience very negative & I would feel uncomfortable & it would make me either break the law which would make me feel mentally uncomfortable or ~~to~~ wear the PFD which would make me feel physically uncomfortable much of the time.

A4. I have a Masters License & have extensive boating experience for the last 45 yrs & own a 55' power boat & use it extensively in the offshore waters of central California.

A5. I carry 27 life preservers of all types on my vessel & only require non-swimmers or poor swimmers & children to wear PFD's on board.

B1. I feel all water skiers & personal water craft users should wear PFD's if states impose requirements like CG should not. It is hard to pass appropriate rules regarding

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The use of PFD's children under 18 yrs old on vessels under 21' should be required

B2+B3 I don't feel the CG should enforce any more rules + regulations regarding PFD's. The key is education. People who are educated on the operations of water craft should know what + where the conditions dictate the need for PFD's. A flat calm sunny day with 70's may be the time to put on a PFD if trouble arises but would be a ridiculous requirement under normal circumstances.

B4 - SEE B1.

B5 SEE B1

B6 - I believe all non-swimmers should wear PFD's. How many sky divers would sky dive without a parachute. The Captain should always say to depart + have non-swimmers before any voyage begins to have them don a PFD but due to peer pressure I doubt that many non-swimmers would be honest about their swimming ability. Due to this fact I believe it would be a bureaucratic nightmare + near impossible to say + separate swimmers + non-swimmers.

B7 - NEVER

B8. I believe PFD's even type I restrict movements which can lead to clumsiness + tripping falling, bumping into things which can create additional problems such as falling overboard, basical boxes ect... one of the fears of most boaters is fire onboard because of the

Engines' Compartment + A Family with Type 2 PFD's
Trying to get out of a Forward Hatch BEFORE
AN EXPLOSION OCCURS.

B9 - YES

B-10 WATERSKIERS + PERSONAL WATERCRAFT, CANOES + KAYAKS ONLY.

B-11 SEE 10

C.I. I BELIEVE THE NEGATIVE IMPACT CREATED BY A RULE THAT
ALL BOATERS WERE PFD'S WOULD BE SIGNIFICANT. MANY
PEOPLE WOULD FIND BOATING A NEGATIVE EXPERIENCE + WOULD
CAUSE A DECREASE IN BOATING WHICH WOULD CAUSE A
DECREASE IN BOATBUILDING, BOAT SALES, FUEL SALES +
ULTIMATELY TAX REVENUES WITH INCREASED EXPENSES AND
GROSS TIME TO POLICE THESE NEW LAWS. THE TIME
THE CONST GUARD WOULD BE WASTING TRYING TO POLICE
THE ABUSERS COULD BE BETTER SPENT PROTECTING
PROPERTY + SAVING DROWNING SAILORS - THE CG IS
NOW TOO BUSY TO RESPOND TO MANY VESSELS THAT
HAVE ENGINE PROBLEMS WHICH IN SOME HAVE OR WILL
RESULT IN LOSS OF LIFE + PROPERTY WILL WE NOW
ASK THEM TO TAKE ~~THE~~ THEIR VALUABLE TIME TO
POLICE PFD'S?

C2 - EDUCATION THROUGH THE CG AUXILIARY POSSIBLY A MANDATORY
BOATING COURSE FOR 1ST TIME BOATERS -

C3. DISCOUNTS ON BOAT INSURANCE FOR INDIVIDUALS WHO HAVE
PASSED AN APPROVED BOATER EDUCATIONAL COURSE + EDUCATIONAL
EDUCATION + EDUCATION.

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EXECUTIVE SECRETARY MAINE SAFETY COUNCIL (G-LR 3406)
(CGA 97-059) US CONST GUARD HEADQUARTERS

Lynn H. Ogden

2429 145th Place SE, Mill Creek, WA 98012-5713 ♦ (425)338-0902 ♦ FAX (425)252-5455 ♦ Email vjhn45a@prodigy.com

April 5, 1998

APR 6 1998

Executive Secretary, Marine Safety Council
(G-LRA, 3406) (CGD 97-059)
U.S. Coast Guard Headquarters
2100 2nd Street, SW
Washington, DC 20593-0001

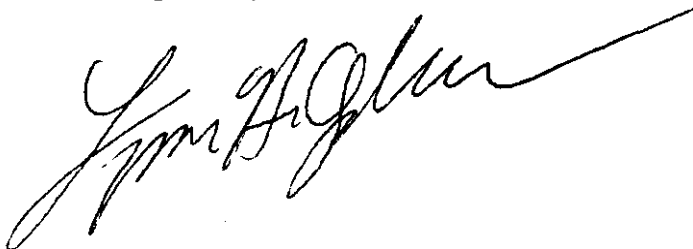
RE.: Federal Requirements for Wearing Personal Flotation Devices

The recent report from **BOAT/US** (*Practical Sailor*, Vol 24, # 7, 1 April 1998, p. 23) showing a steady decline in boating fatalities [since a high of 1,754 in 1973 to a record low of 714 in 1996] indicates there is no need for the expenditure of tax payer dollars for the institution and enforcement of federal regulations in this area.

Just as seat belts and air bags are not worn or disengaged in automobiles; federal regulations requiring the wearing of Personal Flotation Devices (PFDs) will likewise be ignored by many and will be costly to implement and enforce. The decline in boating fatalities over the past 23 years indicates little need for more regulations.

I see no need for expensive federal regulations for the wearing of PFDs.

Respectfully,



APR 6 1998

ROBERT H MANNING

P O BOX 309
MARQUETTE MI 49855-0309
U S A

5 April 1998

The Executive Secretary
Marine Safety Council (G-LRA)
Rm 3406, CGD 97-059
U S Coast guard Headquarters
2100 Second Street SW
Washington DC 20593-0001

SUBJ: Federal Requirements for Wearing Personal Flotation Devices

Dear Madam/Sir:

No knowledgeable skipper would get underway without appropriate safety and lifesaving equipment, often beyond what is required on board including personal flotation devices. No reasonable person would argue with Coast Guard requirements for equipment required on board, preferably to CG Auxiliary standards. However, this former Coast Guard member with international sailing experience takes some exception to federal or state regulations usurping **the traditional** authority of the "captain," whether it is a 6 m sloop or a 32 m megayacht.

It is not merely a matter of giving the skipper authority, it is a matter of practical enforcement. Many, if not most, marine law enforcement officers (Coast Guard excepted) have but little more marine experience than the boating public they are trying to monitor. There are so many gray areas of when wearing of **PFDs** is indicated or not indicated that to make a blanket rule requiring their use is not fair to a boating public.

The answer is education. While I also stand square against required licensing, requiring a given number of hours in a boating course would help more than any other mandate. In spite of **seatbelt** laws and more stringent alcohol enforcement, we still kill 65,000 persons on our highways, and almost every driver was licensed. The blanket requirement of wearing **PFDs** will only slightly reduce the number of drownings, but will increase the enforcement and legal costs to the taxpayer at several levels and certainly be a burden to the majority of responsible boaters on our waterways.

When conditions warrant, I will require all hands to don **PFDs**, and prohibit relieving one's self over the taffrail, a common practice and the cause of several drownings each year. Heavy weather, minimal crew on the midwatch. are all justifiable reasons to wear **PFDs**. Conversely, a **family drift** fishing in their motorboat, swimming, ensconced down below, a flat calm sea, make wearing **PFDs** almost ridiculous, (Incidentally, because the CG is a military organization, there is only black and white. I've seen Coast Guard members suffer heat exhaustion wearing a type I PFD in their "Boston Whaler" in 30°C temperatures, in a flat calm, patrolling a marine event, when they would have been more alert and Semper Paratus without wearing the unwarranted gear. But regulations are regulations.)

In short, education is the answer, require the appropriate gear on board, but leave its deployment to the skipper. By the by, that's not a bad policy for the Coast Guard, too.

Sincerely,


Robert H Manning

cc: Congressman Jay W Johnson
Congressman Bart Stupak

voice: 906.228-7943
Email: <sailor@bresnan.net>

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APR 6 1998

RICHARD WEBSTER

5555 Gulf of Mexico Dr. #101

Longboat Key, FL 34228

April 6, 1998

The Executive Secretary
Marine Safety Council (G-LRA)
Room 3406 CGD 97-059
U.S. Coast Guard Headquarters
2100 Second Street SW
Washington DC 20593-0001

Dear Sir:

RE: FEDERAL REQUIREMENTS FOR WEARING PERSONAL FLOTATION DEVICES.

The proposed blanket requirement to wear PFDs should be given the deep six. It is a poor rule.

This proposal denies me the right to captain my vessels in the manner I deem proper in order to provide comfort to my crew and passengers while meeting or exceeding a variety of safety considerations.

Respectfully,


RICHARD WEBSTER
JN - USPS



Past Commodore
Macatawa Bay YC
Holland, Michigan

426

APR 11 1998

HAL GROSS DSC,USN-RET
44 JERUSALEM VALLEY RD.
HORSESHOE BEND, IDAHO 83629
10 APR 1998

EXECUTIVE SECRETARY
MARINE SAFTY COUNCIL(G-LRA, 3406}(CGD 97-059)
USCG HEADQUARTERS
2100 SECOND ST. SW
WASHINGTON, DC 20593-0001

DEAR SIR,

THIS LETTER IS TO RESPOND TO YOUR REQUEST FOR COMMENTS ON NOTICE (CGD 97-059). I WILL RESPOND TO YOUR QUESTIONS AS THEY ARE ASKED.

A. BOATING ACTIVITY OF **COMMENTER**.

1. THE RISK INVOLVED IN RECREATIONAL BOATING DEPENDS ON WHERE IN THE COUNTRY YOU GO BOATING. THE MOST HAZARDOUS AREAS SEEM TO BE THE INLAND LAKES ON WEEKENDS.
2. IN MY CASE YES.
3. THAT WOULD DEPEND ON THE ENFORCEMENT PROCUDURES
4. MY BOATING EXPERIENCE COVERS MANY YEARS. MOSTLY FISHING AND OVERNIGHT CAMPING ON BOATS. I HAVE BEEN IN A GREAT VARIATY OF WATER'S, FROM THE PACIFIC OCEAN TO THE ATLANTIC, FROM LAKE BARIESSA, CA., TO LAKE OKEECHOBE, FLA., FROM THE **NAPA** RIVER, CA., TO THE TENN-TOMM WATERWAY IN MISS. ALSO STANDING JOOD WATCHES UNDERWAY ON US NAVY VESSELS. IVE BEEN ON SAR MISSIONS FOR THE USCG, SAFTY PATROLS, AND **ATON** PATROLS. IVE HAD THREE OPERATIOINAL FACILITIES WITH THE USCG AUX.
5. **ONBOARD** MY VESSELS I HAVE ALWAYS HAD TYPE 1 PFD'S FOR ALL ABOARD PLUS FOUR EXTRAS, AT LEAST ONE TYPE 4 RING. ALL OF THOSE UNDER 12 YRS. MUST WEAR A PFD AT ALL TIMES WHILE IN THE BOAT. ALL THOSE THAT CANNOT SWIM MUST WEAR A PFD AT ALL TIMES THE BOAT IS UNDERWAY. ALL PERSONS SHALL WEAR PFD'S IF THE WEATHER SO WARRANTS, OR IF IN A CROWDED WATERWAY OR WHENEVER I SAY SO.

B. MANDATORY WEARING OF **PFDs**

1. I DO NOT WANT THE FEDERAL GOVERNMENT TO MANDATE ANYMORE RULES ON THE PUBLIC. LEAVE THIS TO THE STATES. HOLD EVERY SKIPPER RESPONSIBLE FOR.HIS LACK OF TRAINING OR ACTIONS OR LACK THEROF.
2. NONE
3. NONE
4. NONE
5. NONE
6. EDUCATE . EDUCATE, EDUCATE. PUT **ON** A MEDIA BLITZ FOR BOATING SAFTY, EXTEND NATIONAL SAFE BOATING WEEK TO A MONTH.
1. NOT IN MY EXPERIENCE
8. NO
9. YES
10. NONE
11. I DO NOT HAVE A PROBLEM WITH THE COASTGUARD ENFORCING THE RULES ON COMMERCIAL BOATING, ALL SHOULD WEAR **PFDs**.

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C. GENERAL

1. OF COURSE THERE WOULD BE SOME BENEFITS IF THIS WAS MANDATED. WHO IS GOING TO ENFORCE THIS ON ALL OF THOSE BOATS OUT THERE, AND WHO PAYS FOR IT. THE USCG IS OVEREXTENDED NOW.

2. EDUCATE THE PUBLIC CONSTANTLY.

3. EDUCATE, EDUCATE, EDUCATE

IF THE FEDS MUST GET INVOLVED IN EVERYTHING THE PUBLIC DOES IT MUST FIRST PROVIDE EXTENSIVE EDUCATION AND INFORMATION ON ANY SUBJECT IT WISHES TO GET INVOLVED IN. THE ONLY PLACE I HAVE SEEN THAT THE USCG WANTS COMMENTS ON THIS MATTER IS IN THE LNTM ONCE. THE REST OF THE PUBLIC DOESNT EVEN KNOW THIS IS BEING DISCUSSED. EDUCATE, ASSIST THE STATES WITH EDUCATION. NO MATTER WHAT THE RULES THERE WILL BE THAT 10% THAT NEVER LEARN ANYWAY. DOES THE NUMBER OF FATALITIES COMPARED TO THE TOTAL NUMBER OF RECREATIONAL BOATS JUSTIFY THE ADDITIONAL EXPENCE OF ENFORCING A MANDATORY PFD LAW, I THINK NOT.

SINCERELY,



HAL GROSS

DSC. USN-RET

APR 11 1998

HAL GROSS DSC,USN-RET
44 JERUSALEM VALLEY RD.
HORSESHOE BEND, IDAHO 83629
10 APR 1998

EXECUTIVE SECRETARY
MARINE SAFTY COUNCIL(G-LRA, 3406)(CGD 97-059)
USCG HEADQUARTERS
2100 SECOND ST. SW
WASHINGTON, DC 20593-0001

DEAR SIR,

THIS LETTER IS TO RESPOND TO YOUR REQUEST FOR COMMENTS ON NOTICE (CGD 97-059). I WILL RESPOND TO YOUR QUESTIONS AS THEY ARE ASKED.

A. BOATING ACTIVITY OF COMMENTER.

1. THE RISK INVOLVED IN RECREATIONAL BOATING DEPENDS ON WHERE IN THE COUNTRY YOU GO BOATING. THE MOST HAZARDOUS AREAS SEEM TO BE THE INLAND LAKES ON WEEKENDS.
2. IN MY CASE YES.
3. THAT WOULD DEPEND ON THE ENFORCEMENT PROCUDURES
4. MY BOATING EXPERIENCE COVERS MANY YEARS. MOSTLY FISHING AND OVERNIGHT CAMPING ON BOATS. I HAVE BEEN IN A GREAT VARIATY **OF** WATERS, FROM THE PACIFIC OCEAN TO THE ATLANTIC, FROM LAKE BARIESSA, CA., TO LAKE OKEECHOBE, FLA., FROM THE **NAPA** RIVER, CA., TO THE **TENN-TOMM** WATERWAY IN MISS. ALSO STANDING JOOD WATCHES UNDERWAY ON US NAVY VESSELS. IVE BEEN ON SAR MISSIONS FOR THE USCG, SAFTY PATROLS, AND **ATON** PATROLS. IVE HAD THREE OPERATIOINAL FACILITIES WITH **THL' USCG** AUX.
5. **ONBOARD** MY VESSELS I HAVE ALWAYS HAD TYPE 1 PFD'S FOR ALL ABOARD PLUS FOUR EXTRAS, AT LEAST ONE TYPE 4 RING. ALL OF THOSE UNDER 12 YRS. MUST WEAR A PFD AT ALL TIMES WHILE IN THE BOAT. ALL THOSE THAT CANNOT SWIM MUST WEAR A PFD AT ALL TIMES THE BOAT IS UNDERWAY. ALL PERSONS SHALL WEAR PFD'S IF THE WEATHER SO WARRANTS, OR IF IN A CROWDED WATERWAY OR WHENEVER I SAY SO.

B. MANDATORY WEARING OF **PFDs**

1. I DO NOT WANT THE FEDERAL GOVERNMENT TO MANDATE ANYMORE RULES ON THE PUBLIC. LEAVE THIS TO THE STATES. HOLD EVERY SKIPPER RESPONSIBLE FOR HIS LACK OF TRAINING OR ACTIONS OR LACK THEROF.
2. NONE
3. NONE
4. NONE
5. NONE
6. EDUCATE , EDUCATE, EDUCATE. PUT ON A MEDIA BLITZ FOR BOATING SAFTY, EXTEND NATIONAL SAFE BOATING WEEK TO A *MONTH.
7. NOT IN MY EXPERIENCE
8. NO
9. YES
10. NONE
11. I DO NOT HAVE A PROBLEM WITH THE COASTGUARD ENFORCING THE RULES ON COMMERCIAL BOATING, ALL SHOULD WEAR **PFDs**.

428

C. GENERAL

1. OF COURSE THERE WOULD BE SOME BENEFITS IF THIS WAS MANDATED. WHO IS GOING TO ENFORCE THIS ON ALL OF THOSE BOATS OUT THERE, AND WHO PAYS FOR IT. THE USCG IS OVEREXTENDED NOW.

2. EDUCATE THE PUBLIC CONSTANTLY.

3. EDUCATE, EDUCATE, EDUCATE

IF THE FEDS MUST GET INVOLVED IN EVERYTHING THE PUBLIC DOES IT MUST FIRST PROVIDE EXTENSIVE EDUCATION AND INFORMATION ON ANY SUBJECT IT WISHES TO GET INVOLVED IN. THE ONLY PLACE I HAVE SEEN THAT THE USCG WANTS COMMENTS ON THIS MATTER IS IN THE LNTM ONCE. THE REST **OF** THE PUBLIC DOESNT EVEN KNOW THIS IS BEING DISCUSSED. EDUCATE, ASSIST THE STATES WITH EDUCATION. NO MATTER WHAT THE RULES THERE WILL BE THAT 10% THAT NEVER LEARN ANYWAY. DOES THE NUMBER OF FATALITIES COMPARED TO THE TOTAL NUMBER OF REREATIONAL BOATS JUSTIFY THE ADDITIONAL EXPENCE OF ENFORCING A MANDATORY PFD LAW, I THINK NOT.

SINCERLY,



HAL GROSS

DSC, USN-RET

LONGMAN & ASSOCIATES, INC.
211 S. HiLusi Ave.
Mt. Prospect, IL 60056-3026
Ph: 847-392-8484 Fax: 847-577-2287
e-mail: shpwrk2@juno.com

APR 15 1998

April 15, 1998

TO: Executive Secretary, **Marine Safety** Council
U.S. Coast Guard Headquarters
2100 Second St. S.W.
Washington, DC 20593-0001

RE: **[CGD 97-059] Federal Requirements for Wearing Personal Flotation Devices (PFD's)**

As background information, I have been boating and shipwreck diving on the Great Lakes for over thirty years. The majority of my boating has been on Lakes Michigan and Superior, having made several crossings of both Lakes in conditions **from** dead calm, to seas in excess of nine (9) feet in boats **from** 20 to 50' in length. A brief summary of my overall comments on the subject of safe boating is quite simple. Know your limitations, know and maintain your vessel, observe the weather and sea conditions not only at point of departure, but at the point **of return**. Go when it is **safe** and stay put when it is not **safe**.

Whose decision is it on what is safe and what is not? That decision certainly does not **belong** to ANY government agency. It is the decision of the person in charge of the operation of the vessel, be it owner, captain, mate, skipper, or renter / lessee; be it a 16' row boat or a megayacht with crew, and everything in-between. If I own the boat, and I am going to be at the wheel, that decision is mine to make in the best interests of the vessel, its occupants and the completion of a safe voyage.

And, **if I** am not in command, it is my decision to evaluate the sailing conditions, experience and knowledge of the skipper, and decide whether **to** join on board or not. In my case, that decision is made from years of experience in the Great Lakes boating **area**, knowledge **and** respect for the potential change of Great Lakes weather conditions, and **from** continuing education classes taken over the years.

Should the mandatory wearing of **PFD's** by small children, teens or adults when on any floating vessel **be** legislated? **Absolutely not!** There are numerous forms of human behavior that over the years have been deemed necessary to regulate by either the State or Federal governments. Very few of them have worked to the pre-legislation percentage expectations anticipated. And, most likely this one won't either. Common sense, education, and experience cannot **be** legislated into a human brain

It is beyond comprehension that do **gooders**, and the private sector and government types that listen to them, think another "law" will prevent the uneducated, ill informed, just plain stupid, or ignorant human **beings** from participating in activities above and beyond their knowledge and ability. If they cannot understand **or** will **not listen to** the advice and experience of other participants, refuse to seek guidance and education relative to something they know little about prior to engaging in the activity, what the hell is another law, of which they most likely have no knowledge, going to do to **instill** either the required knowledge or assist in acquiring common sense about the hazards of the activity?

Executive Secretary, Marine Safety Office
Mandatory PFD's
p.2

A recent report published in **Powerboat Reports** states the prime reason for boats of **all** kinds requesting a tow is running out of fuel. Does this mean a law should be passed to force all boaters to stop at the fuel dock for fuel level inspection by a government bureaucrat before proceeding out on the water? Ask a fisherman with a 4:00 am departure time that question.

A kids in automobile safety law recently went into effect. From my observations **during** 35,000 business miles driven per year in **8** Midwest states, many parents are still not concerned about the safety of their children. Just observe the large number of "loose" kids in cars, even with the "law". Yes, it is a tragedy when one is lost through a **traffic** accident, knowing **full well** it could have been avoided, but where. does the responsibii he? Not with the government! It lies with the parents of the kids to assure they are safely secured in the car. Apparently mandatory acquisition of a drivers license to operate a motor vehicle doesn't prevent "loose kids in cars." Is it on the drivers license test?

The same principle applies to the wearing of **PFD's** by those on board a boat. The **responsibility** for passenger and crew safety on board lies with the owner/parents, captain/mate, skipper in command of the vessel. And in my opinion **that** responsibility comes only with education, training, experience, and awareness of **surrounding** sea conditions while cruising. Not **from** a government law.

While I stand **firmly** against blanket required licensing of boaters, perhaps mandatory boater safety education prior to the purchase and/or registration of a motor vessel / sailboat is the answer. Perhaps licensing **after** proof of operational proficiency and knowledge of **the** rules of the **road (water) is** required. Some means of **instilling** in the minds of all boaters the necessity of **being** aware of one's **surroundings** white on the water, knowing the limitations of your vessel, and to respect the rights of other boaters while under way is the answer.

Will it be more expensive, then, to own and operate a boat. **Definitely!** Pay for it up **front** in education, training, and operational proficiency classes, or pay for it afterwards in higher insurance premiums.

Additionally, the introduction of mandatory PFD rules is not just a matter of usurping the authority of the vessel skipper. It is a matter of practicality of enforcement. Should State, County or Township marine officers, many of whom have little more on water experience than those they have set out to monitor, be spending the majority of their time checking PFD compliance or should their activities be directed toward **handling** more serious matters? Who bears the added cost of more law enforcement vessels and personnel? How do you handle the **increased** boater irritation (road rage) **that results from** multiple stops for PFD inspection? How do four or five Chicago Police Marine Unit vessels enforce the law when there are thousands of boats using forty plus miles of Chicago lakefront on a weekend?

It is a matter of situation practicality; dead flat **calm**, bright warm sun, anchored for a **swim**, vs roaring winds, **high** seas and the potential peril of vessel and crew. And a multitude of varying conditional situations in between. Require the safety equipment to **be** on board, but it is the responsible judgement call on the part of the educated and experienced skipper for its' deployment. And that judgement call requires education. Not mandatory government intervention.

Sincerely,



R. Bruce Longman

429

APR 15 1998

April 15, 1998

Executive Secretary
Marine Safety Council
CGD 97-059
U.S. Coast Guard Headquarters
2100 Second Street S.W.
Washington, D.C. 20593-0001

Dear Sir,

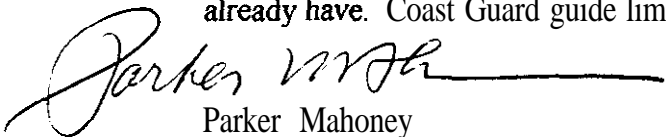
P.F.D.s should be required for people who do not swim, whether age 9 months, 9 years or 90 years. However, this should be mandated by the boat captain or owner, not the Coast Guard or some other enforcement agency. The first thing I ask anyone who comes aboard my boat is:

- A.) can you swim
- B.) how good of a swimmer are you

By **truthfully** answering these two questions, it doesn't take a rocket scientist to figure out who should have a P.F.D. on or not. Beyond this situation, this should be discretionary between the boat owner or captain and crew or guests.

Obviously in bad or rough weather, you are going to be more attentive to **P.F.D.s** than on nice calm sunny days.

I must say, we have more than enough government intrusion on what freedoms we have **left**, and we certainly do not need anymore government control or regulations than we **already have**. Coast Guard guide lines are probably the *right answer*.



Parker Mahoney
P.O. Box 77
Guerneville, CA 95446

Telephone: (707) 869-2889 days
(707) 869-3093 nights

430

APR 16 1998

74 Harborview Dr.
Richmond, CA 94804

April 15, 1998

Executive Secretary
Marine Safety Council (G-LRA, 3406) (CGD 97-059)
US. Coast Guard Headquarters
2100 Second St SW
Washington, DC 20593-0001

Dear Sir —

Thank you for requesting input on the subject of Federal requirements or incentives for boaters to wear lifejackets while on the water. I have strong feelings about this, and I hope to dissuade you from action.

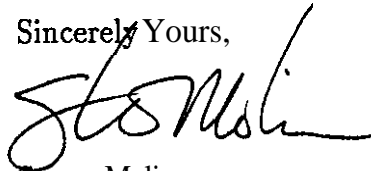
First, I would like to point out that any such requirement would clearly be in conflict with the US Constitution, which authorizes no such activity on the part of the government. Article I section 8 lists the powers of Congress, and Amendment 10 reserves all powers not listed to the States or the people.

You ask specifically how such a requirement would affect my participation in recreational boating. The primary effect would be that under such regulation, each time I took a boat out I would curse the Federal government for such an unwarranted intrusion into my personal affairs. Wearing a lifejacket would become a constant irritating reminder that my government considers me to be inept, incompetent and incapable of taking care of myself.

Finally, I challenge the efficacy of the proposed regulation. Enforcement would be a nightmare, requiring random at-sea checks, adding to the tension between boaters and the Coast Guard over current safety checks. Furthermore, you admit that boating fatalities have declined over the last two decades, during which time overall use of waterways has surely increased . . . this doesn't sound like a crisis that calls for more government regulation.

Please take the right course of action, and do nothing.

Sincerely Yours,



Steve Molin

431

APR 16 1998

Stephen H. Dye
14229 Furman Ave.
Orlando, FL 32826-3548

Executive Secretary
Marine Safety Council (G-LRA, 3406) [CGD **97-059**]
US. Coast Guard Headquarters
2100 Second Street SW
Washington, DC 20593-0001

April 15, 1998

Dear DOTNSCG:

PERSONAL BACKGROUND:

I am a 44 year old air **traffic** controller employed by the Federal Aviation Administration and stationed at Orlando International Airport, Orlando, Florida. I have been involved with boating my entire life. My father is a Korean-Era US Navy veteran who owned recreational and commercial vessels until his retirement in 1993. Both of my younger **brothers** (ages 42 & 33) have been professional mariners their entire working lives. They are both employed by White Stack Towing and Transportation Company in Charleston, South Carolina. My 42 year old brother is a tug captain and docking pilot with a USCG 1,600 ton unlimited rating. My youngest brother is USCG rated and has just begun his training as a **tug** captain. Over the past 40 years my family has owned powerboats, sailboats and commercial fishing vessels. During the past 25 years I have owned numerous powerboats and one personal **watercraft** (PWC). I currently own and operate a 1993 22' Checkmate Persuader sportboat which I keep trailered at my home in Orlando.

I operate my powerboat in inland rivers and lakes as well as **the Intracoastal Waterway and** offshore (Port Canaveral) here in Florida. I enjoy cruising at safe speed, running wide open throttle at times or finding a secluded cove in which to beach the boat and relax on the **sundeck** or onshore. I use my Checkmate at least 3 weekends per month and consider myself highly experienced and qualified to comment on this proposed action by DOTNSCG. I am also an Auxiliary State Trooper with the Florida Highway Patrol (Troop D) with **10** years' experience in public safety and law enforcement.

I have read the DOTNSCG proposal [CCD **97-059**] and I **strongly oppose** the mandatory wearing of PFD's for recreational boaters. This is **the wrong approach** to a much more complex problem. The Federal Register **report** identified 75% of **1995** boating deaths resulting from people who did not know how to swim. Non-swimmers should not be allowed in or on **watercraft**, period. **What** the report **does not show** is how many drownings occurred as a result of unlawful use of alcohol or deaths as a result of reckless operations. The mere fact that "people drowned" is not an accurate "cause of death".

I will answer a few questions from the Federal Register:

How much risk do you believe recreational boating involves?

The "risks" involved **with any** maritime activity are in direct proportion to the amount of training, education and preparation received and practiced by the participants.

~~430~~
432 SC

If I fell overboard, I would feel just as safe if someone threw me a lifering or a buoyant cushion as I would feel if I have been wearing a standard jacket-style PFD?

Absolutely. I would not place myself in a position to fall overboard. If I did fall overboard I would be very comfortable floating/treading water until such time as a **throwable** PFD was received. The time lapse involved would be less than 5 seconds. Proper planning, preparation and training is the key.

Would a requirement for wearing a PFD likely affect your participation in recreational boating, and how would it affect it?

I would **not** participate in the requirement to wear a PFD. My boat has **bucket/bolster-style** seating. I would not be able to comfortably wear my Type III PFD while safely operating the controls of the boat.

Please tell us what type of PFD you carry when you go boating, whether or not you or other passengers wear a PFD, and the reason(s) for wearing or not wearing a PFD.

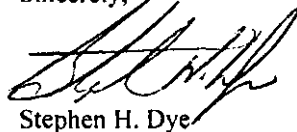
I carry 4 Type III PFD's and 1 Type IV throwable cushion with straps. Every passenger in my boat is a swimmer and receives a briefing on **the** safety equipment located in my boat as well as instructions on emergency situations such as a fire, explosion or capsizing. My passengers are not required to wear PFD's while riding. Again, proper planning and training should be **mandatory**.

What Federal requirements for wearing PFD's should the Coast Guard propose, if any, based directly on higher fatality statistics in one or more categories of boaters, boating activities, or boating conditions?

An experienced and educated answer would take days to write. Send down travel money and I'll fly up to Washington, DC and we'll sit down and talk. My short answer would be to leave the **regulatory** process alone at this point. Florida has the highest boating population in the United States and safety efforts are working well in this state. If I were to propose anything, I would increase the mandatory boating safety course requirements for operators of recreational boats and **PWC's**. Possibly a licensing requirement demonstrating **that** the operator has satisfactorily completed a comprehensive boating education/safety course.

Boating **should** remain a safe, relaxing and enjoyable experience that places the responsibility for safety with the operator of the boat or PWC. To Federally mandate a PFD **use** program would greatly inhibit the freedom and enjoyment of **this** leisure activity.

Sincerely,



Stephen H. Dye

431
432 SC

APR 17 1998

17 April 1998

Robert G. Mueller
1143 Towlston Road
Great Falls, VA 22066

Executive Secretary,
Marine Safety Council
(G-LRA, 3406)(CGD 97-059)
U.S. Coast Guard Headquarters
2100 Second Street SW
Washington, DC 20593

Sir,

In response to your request for comment on CGD 97-059, I strongly disagree with any Federal or State law or regulation requiring recreational boaters to wear lifejackets. I have been a recreational boater for 20 years, and this intrusion into people's private lives is unwarranted, and for 99% of all boaters, unnecessary! In all my years as a boater, I have never seen or heard at the marina of anyone drowning, or even coming close. The small ratio of drowning deaths to the huge numbers of boats does not warrant Federal intrusion into private lives. To answer your specific questions:

- A.1. Recreational boating involves minimum risk, certainly less than bicycle riding or airplane flying.
 2. The statement is poorly worded, if I fell overboard I would certainly be able to swim long enough for somebody to throw me a **lifejacket** or for the vessel to come back and get me. Every person on my vessel who is not a strong swimmer must wear a life jacket.
 3. Requiring people to wear life-jackets would greatly decrease the pleasure people have in boating. Either people will completely ignore the law, or recreational boating will decrease.
 4. I own a 38 ft ocean going sailboat, and I have made over 15,000 miles of open ocean transits, including transiting the Panama Canal.
 5. I **carry** 6 Type I **PFDs**, and 4 Type III **PFDs**. Additionally I carry a Life-sling **throwable** device (**Type IV**), 2 floating cushions (Type IV), and two inflatable devices that are worn when offshore or in bad weather. When in good weather and in protected waters, we do not wear life-jackets as they hamper the operation of the vessel. Children on board under age 12 always wear a life-jacket.
- B. 1. The Coast Guard **should** not propose any regulations concerning Personal **Floation** Devices.

433

2. There should be no Federal Regulations concerning Personal Floatation Devices.
 3. There should be no Federal Regulations concerning Personal Floatation Devices.
 4. There should be no Federal Regulations concerning Personal Floatation Devices.
 5. There should be no Federal Regulations concerning Personal Floatation Devices. The Coast Guard could suggest the States consider PFD regulations for young children.
 6. There should be no Federal Regulations concerning Personal **Floata**tion Devices.
 7. I know of no instance where a person wished he/she had worn a PFD.
 8. Working on the fore-deck of a sailing vessel, changing head&Is, handling spinnakers, or otherwise working with a large number of lines and sails can cause a safety hazard to a person wearing a non-inflatable PFD.
 9. I **am** well versed on all PFDs.
 10. There should be no Federal Regulations concerning Personal Floatation Devices.
 - 1 1. There should be no Federal Regulations concerning Personal Floatation Devices.
- C.1. Any Federal Regulation for the wearing of **PFDs** will be largely ignored, enforcement will be impossible, and the Coast Guard will received extremely bad public relations.
2. To reduce deaths in pleasure boats, enforce the current law against drinking and boating.



Robert G. Mueller

APR 17 1998

17 April 1998

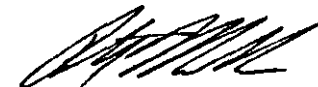
Robert G. Mueller
1143 Towlston Road
Great Falls, VA 22066

Executive Secretary (97-059)
Marine Safety Council (G-LRA, 3406)
U.S. Coast Guard Headquarters
2100 Second Street S.W.
Washington, D.C. 20593

Sir.

I strongly disagree with any Federal or State law or regulation requiring recreational boaters to wear lifejackets. I have been a recreational boater for 20 years, and this intrusion into people's private lives is unwarranted, and for 99% of all boaters, unnecessary! In all my years as a boater, I have never seen or heard at the marina of anyone drowning, or even coming close. As a Coast Guard Officer, I know it happens and I have been involved in several rescues. However, the small number of deaths when compared to the huge numbers of boats does not warrant Federal intrusion into private lives.

A boating safety course is another matter, I strongly support this idea.



v/r, Bob Mueller

433

APR 17 1998

APR 27 1998

April 27, 1997

Executive Secretary, Marine Safety Council
(GLRA, 3406) [CGD 97-059]
US Coast Guard Headquarters
2100 Second St., SW
Washington, DC20593-0001

Ref: CGD 97-059

Dear sir/madam:

This is in response to your request for comments.

A.

1. I have been a sailor for over 40 years in boats from 22' to my **current** 38' Catalina. 1 short hand sail and single hand sail most of the time. My sailing venues have ranged from several years on the Atlantic (Marblehead), to 2 1 years on Lake Ontario, to the past **2-1/2** years on the Pacific (Long Beach). I **carry** over a dozen life jackets and two MOB systems but have found few times when life jackets were necessary (in my opinion) and have never lost anyone overboard. I have sailed in storms with winds in excess of 40 knots - once single handed. Boating, **like any** active recreation, requires common sense and good judgment to be considered safe.

2. I do agree with the statement.

3. If I were required to wear a PFD for recreational boating I would **definitely** NOT conform to the **requirement**.

4. Much has been covered in 1. above.

5. I carry 13 type II foam filled, one type I with flares, dye, mirror, **&** whistle, **and** 4 type IV **cushions**.

B.

1. I feel that children under the age of six, anyone who cannot swim, anyone water-skiing, anyone on a personal **watercraft**, and anyone renting or in a rented boat under 25' in length (including canoes, kayaks, etc.) should be required by law to wear a PFD.

2. Covered in 1. above.

3. Covered in 1. above.

4. Covered in 1. above.

5. Covered in 1. above.

6. It would be quite **difficult** to determine if a boater is a non-swimmer, however, making it a law under the conditions I spelled out in 1. above would at least place the burden on the individual and the skipper to conform (or at least to think twice before not wearing one).

7. No.

8. No.

9. Somewhat.

10. It should be **left** to the discretion of the skipper or the individual.

11. Same as 10.

C.

1. I feel that the biggest benefit would result from the **safety** of the occasional or "weekend" boater who really is not aware of the boating basics, rules of the road, weather, tides, MOB recovery, etc.

434

2. Better promotion of the "boating safety basics." More published info (or more readily available) on boating safety and PFD types. More flexible hours for boating safety or power squadron courses. My day starts at 4:00 AM and ends at noon. I cannot make the 7:00 PM boating courses.
3. Better enforcement of the drinking while driving on the water rules.

I hope **that** the above is of some help in your process,

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Morgan', with a long horizontal line extending to the left and a vertical line extending downwards from the end of the signature.

Thomas J. Morgan
311 Main Street, #10
Seal Beach, CA 90740
Tel.: 562-493-5884
fax: 562-493-5724
email: OBELI@AOL.com

APR 28 1998

26 April 1998

Executive Secretary
Marine Safety Council
U. S. Coast Guard Headquarters
2100 Second Street S.W.
Washington, D.C. 20593

Dear Sir:

I understand from a small article in a copy of Sail that the Coast Guard is soliciting comments from sailors on the subject on federal requirements to wear **PFDs**. I **would** like to go on record that I am very much against them being required out on the water. I have two daughters, 9 and 13 years old and in New York State, the little one (being under 12) must always have one on when we are underway. She hates wearing it and now refuses to go out on our sailboat, a Cape Dory 27. Sailboats are usually slow and on a hot summer afternoon, wearing a PFD can be pretty brutal. They can also be quite dangerous if the wearer is down below and the boat capsizes and is caught below decks. I also think that Americans as a whole are losing too much personal freedom and to have the "**feds**" pass another regulation (such as air **bags**) is too much. I am a former Coast Guard officer and was Chief, Boating Affairs, in the old 3rd Coast Guard District. I know about the alleged decrease in marine deaths as a result of wearing a PFD, but education should be the first pursuit. A decrease in deaths would surely be a result as there would be a corresponding decrease in boaters due to the new regulations. Boaters and sailors should be made aware of the conditions of when they should don **PFDs**, as a hot and hazy summer afternoon on Long Island Sound is not comparable to a trip around Cape Horn. Even if regulations are promulgated for the most obvious need, i.e. "**jet skis**", etc., it would not be far behind when more regulations are developed to cover a broader spectrum of boatowners. I personally enjoy the freedom that sailing provides and this is just another case of "Big Brother" trying to decide just what is good for us and to try to save us from ourselves. The Coast Guard certainly does not need any more responsibilities in law enforcement. SAR should still be utmost and with the closing of several Coast Guard stations and the possibility of closing our local station at Eaton's Neck, NY, who exactly will be enforcing these regulations anyway... a handful of BOSDETS (or whatever you call them now)? I am a firm believer in the old adage "**Less is more**" and hope that will apply to federal regulations on PFD usage.

Thank you for your consideration.

Sincerely,

Robert W. Miller

Robert W. Miller

170 E. 17th ST
Huntington Station, NY 11746

435

APR 28 1998

April 28, 1998

EXECUTIVE SECRETARY,
MARINE SAFETY COUNCIL

U.S. COAST GUARD HEADQUARTERS
2100 SECOND ST. SW
WASHINGTON, D.C. 20593-001

Dear EXECUTIVE SECRETARY,.

SUBJECT :PFDS

THE TEMPERATURE GETS MUCH TOO HOT FOR HAVING TO ~~WARE~~ A PFD ALL DAY WHILE
YOUR IN A BOAT!

Thanks,

MARVIN WHITSON

P.O. BOX 546
FOLLY BEACH.S.C

436

APR 28 1998

4-28-98

Dear Sir

I am writing about the vest issue. I do not want the government telling me I have to do anything but pay taxes. I own and skipper a 30 foot sailboat on the Georgia coast. I am responsible for my boat, passengers and myself.

If I sail alone I wear an inflatable vest, Harness and Tether. If the weather is bad I wear them. I have been 15 miles offshore and found herds of small powerboats from 10 feet and up. They were not using vests and that is their choice and responsibility.

If you mandate vest wearing, it will only occur if there is a chance of being checked. Current vests are too bulky, hot and uncomfortable..

Respectfully

Jonathan B Capese
Capt. Sand Dollar

924 WADE ST
MILLEN, GA 30442

437

John S. Griffith
4 Maritime Drive
Corona del Mar
CA 92625 -1428

MAY 1 1998

May 1, 1998

Executive Secretary, Marine Safety Council (G-LRA,3406)
CGD 97-059
U.S. Coast Guard Headquarters
2100 Second St. SW
Washington
DC 20593-0001

Gentlemen,

I suggest to you that the mandatory life jacket proposed law is a very bad idea. Anyone who has the money can buy any size boat and without ever having stepped on a boat before can start the engines and head to sea. There in lies the problem. You can't do it in a car or plane so why a boat?

I suggest that everyone must have some basic learning and be licensed to operate a boat. Any boat with an engine.

Our current styles of life jackets are not properly designed to accommodate your objectives. The only one that is, is made in Germany, and is called a CQMR. Having been a sailor and deep sea sportfisherman for over 45 years where I have fished in South America, Mexico, the Azores and Australia none of what I have done would have been possible with our current style of life jacket. They are too restrictive, awkward and can get caught up on too many objects when maneuvering around on a boat. I know you will tell me that Coast Guard men wear them but I'm telling you that you should start at the beginning. The right to operate and be a passenger on a boat. Now to answer your questions.

A) Boating Activity of commenter.

1) a great deal

2) no

3) It would severely hamper my maneuverability to sail or fish.

4) As mentioned above I have boated a great deal. I have sailed to Honolulu and back in 1955, sail in the Gulf of Mexico and fished many areas of the world. I have owned sail boats from 12 to 32' a catamaran of 19' and sportfishing boats from 23 to 43' I average 50-70 days at sea now at age 65. I have done extensive single handed fishing in a 31 foot open twin outboard boat from San Diego, out past our navy's island of San Clement and with others trailed it to San Philipi in Mexico and ran it to Cabo San Lucas. a distance of over 650 miles. All my boating has been in open ocean areas.

5) I carry the required life PFD,s but do not wear them. It would be totally impossible for me to fish and run my boat safely wearing a PFD all day. When I fished single handed I had a ignition cutoff on my wrist.

John S. Griffith
4 Maritime Drive
Corona del Mar
CA 92625 -1428

MAY 1 1998

B

1) I believe for water skiing and jet skiing life vests should be mandatory but common boating knowledge and operational experience should be mandatory for anyone operating any boat with a motor. Many of the problems you are worried about are caused by an inexperienced or truly novice operators. Before you consider any PFD check out the German CQMR and then you will realize that until you have one that fits and works like that one does you should not change ANY regulations covering mandatory PFD wearing apparel.

C. General.

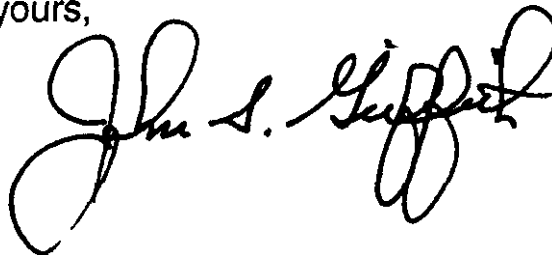
If you devoted the necessary time to writing and implementing a minimum qualifying test for anyone operating a boat and equipment that did not hinder the operator or passengers you might have a improvement in your statistics but if I can buy any boat and go anywhere in it without ANY prior experience then your PFD ideas should be tabled and efforts put forth to develop our own CQMR and some licensing of boat operators. Your current efforts are misdirected. Don't put the cart before the horse.

D. Conclusion

If you implement this proposed idea please be assured that people will remove the current PFD's when out of sight of others.

If given the right equipment with knowledge - man can do it safely.

Very truly yours,

A handwritten signature in black ink, reading "John S. Griffith". The signature is written in a cursive, flowing style with large loops and a prominent initial "J".

Carlton Poulnot
140 *Sampa* Road
Mount Pleasant, SC 29464

MAY 4 1998

April 29, 1998

Executive Secretary
Marine Safety Council
U. S. Coast Guard

Re: PFD Regulations

Dear Sir

I am writing in opposition to the proposed federal regulation requiring recreational boaters to wear **life** jackets. I believe that minor children, personal **watercraft** operators, and water skiers should perhaps wear a PFD at the time they are on the water.

To require everyone to wear a PFD would seriously hamper the freedom and enjoyment of pleasure boating. We as Americans are seeing our liberties eroded every day by our big brother government. Where will it end, with parachutes on Delta? I am adamantly opposed to the proposed regulation.

Boat operator education is a very good idea and South Carolina has initiated an educational program through our S. C. Wildlife Department. With proper education I believe we will see a dramatic drop in on the water accidents.

I have enjoyed boats and the water on the open ocean and inland waters for sixty years and would like to continue to for a few more years without too much government interference.

Sincerely,



Carlton Poulnot
Masters License

439

MARINE SAFETY COUNCIL
WASH. D.C.

MAY 1, 1998

MAY 4 1998

REF: RECREATION BOATERS WEARING LIFE JACKETS.

THIS REGULATION IS A BAD IDEA BUT I DO AGREE WITH EDUCATION BEING MANDATORY. TOTAL "~~MAN~~ KNOW NOTHING IDIOTS" ARE BUYING AND OPERATING BOATS. I TAUGHT FLYING FOR 20 YRS NOBODY WANTS TO TAKE TIME TO LEARN, THEY JUST WANT TO GO DO IT.

WEAR LIFE JACKET LAW IS PENALIZING THE 90% OF SAFE BOATERS AND THE 10% IDIOTS STILL WONT WEAR THEM. THE GOVT IS DRIVING US CRAZY WITH MORE AND MORE REGULATIONS. YIKES!

MORE LAWS AND FINES HAVENT STOPPED TRAFFIC ACCIDENTS IN AUTOS, OR DRUNK DRIVERS OR SPEEDERS.

GIVE US A BREAK - USE GREAT CAUTION ON MORE REGULATIONS. NEXT WE'LL HAVE A LAW SAYING WE ALL HAVE TO CARRY FIRST AID KITS.

KEO JAMMA
1415 CREST CT
OXNARD, CA 93035

440
CF

MAY - 5 1998

April 30, 1998

Executive Secretary,
Marine Safety Council
US Coast Guard Headquarters
2100 Second St. SW
Washington, D.C. 20593-001

97-059

Gentlemen:

I recently read of the proposed federal regulations requiring recreational boaters to wear life jackets and to receive boating safety education. Please included this letter with your response and comments.

Let me **first** comment on the proposed regulations for wearing **PFD's**. I think it is absurd for our federal government or any other governing body to require recreational boaters to wear life jackets. I agree that minors **should** be required to wear life jackets, particularly **if they** are in a small vessel (<16') and they are not accompanied by an adult; however, I am in no way in agreement that adults should be required to wear PFD's when on any size vessel.

As for the second issue, I am in full support of the regulation requiring boat operators to receive boating safety education. I feel that a large percentage of operators have never had any formal training, and by requiring that training, we will be much more safe on our waters.

Thank you for the opportunity to respond to your proposals during the comment period.

Sincerely,

Dylan McClain Robinson
#29 28th Ave
Isle of Palms, SC 29457

441

MAY - 5 1998

97-059

April 30, 1998

Executive Secretary,
Marine Safety Council
US Coast Guard Headquarters
2100 Second St. SW
Washington, D.C. 20593-001

Gentlemen:

I recently read of the proposed federal regulations requiring recreational boaters to wear life jackets and to receive boating safety education. Please included this letter with your response and comments.

Let me first comment on the proposed regulations for wearing PFD's. I think it is absurd for our federal government or any other governing body to require recreational boaters to wear life jackets, I agree that minors should be required to wear life jackets, particularly if they are in a small vessel (<16') and they are not accompanied by an adult; however, I am in no way in agreement that adults should be required to wear PFD's when on any size vessel.

As for the second issue, I am in full support of the regulation requiring boat operators to receive boating safety education. I feel that a large percentage of operators have never had any formal training, and by requiring that training, we will be much more safe on our waters.

Thank you for the opportunity to respond to your proposals during the comment period.

Sincerely,



#29 28th Ave

Isle of Palms, SC 29457

441

MAY 5 1998

May 04, 1998

Executive Secretary, Marine Safety Council
US Coast Guard Headquarters
2100 **Second** Street SW
Washington, DC 20593-0001

Re: CGD **97-059**,

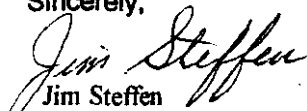
I have downloaded a **copy** of your request for comments regarding the wearing of **PFDs**. I am enclosing my comments as follows. I have been boating for most of my 60 plus years and I **see** no need for a total requirement to wear a PFD except perhaps children. You can't legislate against stupidity and if a person can't **swim**, they should have enough common sense to wear a PFD. If the weather, darkness, or any other wnditions exist that require wearing a PFD, then a law requiring it is not going to make someone wear one. Common sense and perhaps (more likely) education is more of an answer.

I am currently sailing a 30 **foot** sailboat in the ocean off Southern California at least every other weekend. We do not **wear** our **PFDs**, but have them readily available for all aboard, and children are required to wear them at all times, even in the slip. If we sail at night, or the weather is stormy and we go out, **we wear** them.

To specifically **answer** your questions:

- (A) 1. Some, depending on size of **boat** and seamanship.
2. I agree in most cases, except at night.
3. I most likely wouldn't **wear** one.
4. Sail, at least twice a month, most often more frequently- in the Ocean.
5. **Type II**, kept handy, don't wear. If passengers can't swim, they wear one. Lifelines and caution make it unlikely **we** would fall over the side.
- (B) 1. I am against Federal requirements. Maybe recommendations to the states to create uniformity in areas such as children, water skiing, jet skis, etc.
2. **See above**
3. **See above**
4. **See above**
5. **See above**
6. 75% non swimmers! I don't think imposing a law on all waters **will** protect the 75% **who** are that stupid. It would be just as effective to make it illegal for a non-swimmer to board a boat.
7. I don't know. I could **only** assume.
8. Could get in the **way** when moving around and when working the sails.
9. Pretty much
10. NONE. Make recommendations
11. NONE. **See above**
- (C) 1. **Very** few benefits at too much **cost**, paperwork and inconvenience.
2. Education and swimming instructions for all children and other non-swimmers.
3. I think you have a pretty good program in place right now without imposing more rules and regulations unilaterally on all boaters. I think education is the answer. Perhaps mandating that children under 12, water skiers, all occupants of a PWC. but certainly not larger boats

Sincerely,


Jim Steffen
79-805 Camelback
Bermuda Dunes, CA 92201

442

1501 Campus Drive
Berkeley, CA 94708

May 9, 1998 MAY 8 1998

Dear Council:

Please do not make it mandatory to wear life jackets.

I sail a dinghy on San Francisco Bay and always wear a wet suit and, unless it is calm and hot, also wear a life jacket. On calm and hot days I open up the top of the wet suit. This way I can quickly close the wet suit and put on the life jacket if the wind comes up.

If I am forced to put on a life jacket on hot calm days, I will not wear the wet suit. This would be a dangerous situation.

Sincerely,
John F. Arens

John F. Arens

493

MAY 8 1998

International Game Fish Association

Harold E. Neibling
California Representative
350 Empire Landing
Long Beach, CA. 90803

Telephone (562) 498-2993
Fax (562) 498-2993 Push '51

May 9, 1998

Executive Secretary
Marine Safety Council
GLRA, 3406
CGD 97-059
U.S. Coast Guard headquarters
2100 Second Street.
S. W. Washington, D.C. 20593-0001

Dear Executive Secretary;

Regarding the wearing of life vests at all times. Many instances they should be worn. ie. Skiing, Sailing races, competitive racing of any type, jet skis, etc. However, I disagree emphatically about the wearing **of vests** on fishing vessels, yachts, whether at anchor or moving. And, are you going to require cruise vessel passengers to wear them 24 hours a day??

Please register our vote as NO requiring boaters to wear **live** jackets full time.

Sincerely,



Harold E. Neibling California IGFA Representative.

444

MAY 11 1998

Martin P. Mittet
P.O. Box 1729
Silverdale WA 98383
(360)692-6564

May 11, 1998

Executive Secretary
Marine Safety Council (G-LRA, 3406) [CGD **97-059**]
U.S. Coast Guard Headquarters
2100 Second Street S.W.
Washington, D.C. 20593-0001

Re: Comments [CGD **97-059**]

Dear Sirs:

I oppose implementation of Federal requirements mandating that boaters wear lifejackets. My answers to your specific questions follow:

A. Boating Activity of Commenter.

1. Recreational boating involves minimal risk.

2. **Of course** I disagree. If I fell overboard I would feel safer and **be** safer wearing a lifejacket. In forty-odd years of boating, however, I have not fallen overboard, and even though I would not be as safe with a cushion, I would certainly rather have one than nothing.

3. A requirement to wear a PFD would affect **my** participation in recreational boating. It would detract from my enjoyment of recreational boating.

4. I own a sailboat. I sail it extensively in the inland waters of the state of Washington and in British Columbia. I have been offshore with the boat.

5. I have several Type II **PFDs** aboard.* I also carry Type III **PFDs**, and a Type IV throwable device always handy on the stern rail. Finally, I carry a "Life Sling", a system which, in addition to providing flotation for a man overboard, enables retrieval of an unconscious or helpless swimmer back aboard the boat. I have never had to require small children to wear a PFD, because their parents have always done so. Amazingly, all parents who have been aboard my boat with **small** children have done so without the existence of Federal regulations.

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B. Mandatory Wearing of **PFDs**.

1. No Federal requirements are necessary. I can see no rational reason "to ensure uniformity around the country." I can see no rational reason for the Coast Guard to select out just particular States for regulation.

2. Again, the Coast Guard does not need to propose regulations. Leave it to the States. Leave people free to regulate themselves where no State regulation exists.

3. Same as previous answer.

4. Same as previous answer.

5. Same as previous answer.

6. Again, the Coast Guard does not need to propose any Federal requirements. **The** world cannot be regulated to the point where it becomes a perfectly safe **place**. The last prong of this question is easy: Law enforcement could throw everyone not wearing a PFD overboard. Those who drowned could be cited for not wearing a PFD.

7. Obviously, I would wish that anyone who drowned while not wearing a PFD, who might have lived had he or she worn one, had worn one. To me, however, it does not follow that Federal law must mandate the wearing of **PFDs**. I do not want to live in a country which regulates my choices to that extent.

8. Type I and Type II **PFDs**, particularly, are cumbersome and bulky, and make normal sailboat operations more difficult than without them. To me it is simply not desirable to wear any type of PFD in everyday benign conditions. Those who feel otherwise can wear them. There are conditions where I would not be on deck without a PFD and, for that matter, without being harnessed to the boat. These are choices, however, that I should be free to make without the necessity of Coast Guard regulations.

9. I am aware of these things.

10. Again, no Federal requirements need be proposed.

11. Same as previous answer.

C. G e n e r a l

1. I cannot deny that some might live who would otherwise have **died if** there were Federal requirements mandating **PFDs**. The costs, however, make regulation unacceptable to me. In addition

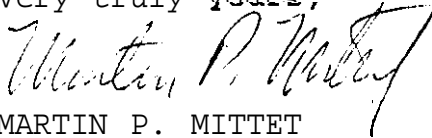
to the monetary cost, there are other costs, not the least of which would be abuse of the PFD regulations by the Coast Guard to effect invasions of personal privacy such as those which occur every day as "safety inspections" - a ruse allowing warrantless searches of boats by the Coast Guard, with no cause whatsoever, to look for drugs.

2. Education.

3. There is a concept known as "assumption of risk" that the Coast Guard should accept. Boaters will drown, as they have always drowned. Let them drown without a PFD, if they choose to assume the risk of boating without one. All recreation boating drownings, of course, could be eliminated. Everyone could be saved. All the Coast Guard needs to do is enact a regulation forbidding recreational boating. If the Coast Guard really views its role as eliminating the drowning of recreational boaters in the most efficient manner possible, that is the easy answer.

I'd rather just leave things the way they are. The Federal Government regulates us enough as things stand.

Very truly yours,



MARTIN P. MITTET

FEB - 4 1998



**BOAT OWNERS
ASSOCIATION
of The
UNITED STATES**

Washington National HQ
880 S. Pickett Street
Alexandria, VA 22304
Phone: (703) 461-2864
FAX: (703) 461-2845

National Advisory Council

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Executive Director, American Boat & Yacht Council.

VADM Robert T. Nelson, USCG (Ret.)
Former Vice Commandant, U.S. Coast Guard.

Henry Pratt
Former National Commodore, USCG Auxiliary.

Admiral Owen W. Siler, USCG (Ret.)
Former Commandant, U.S. Coast Guard.

George W. Stewart, Jr.
Executive Director, NASBLA.

Richard Schwartz
President, BOAT/U.S.

February 2, 1998

Executive Secretary
Marine Safety Council
(G-LRA,3406)(CGD-97-066)
U.S. Coast Guard
2100 Second St., S.W.
Washington, D.C. 20593-001

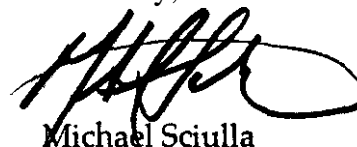
To Whom It May Concern:

We would like to request a 30-day extension of the deadline to submit comments regarding your notice of request for comments entitled: Federal Requirements for Education in Recreational Boating Safety.

For the record, BOAT/U.S. is the nation's largest organization of recreational boat owners with a membership that exceeds 500,000. We request the extension to allow us sufficient *time* to fully enter the more than 7,000 responses that have been received to a survey on mandatory education that was published in the January, 1998 issue of BOAT/U.S. Magazine. Due to computer difficulties, the results have not yet been fully entered.

We would appreciate your cooperation on this matter of importance. Please notify me of your decision so that we might act accordingly.

Sincerely,


Michael Sciulla
Vice President

cc: Capt. Tony Stimatz

446

MAY 11, 1998

REFERENCE CGD 97-059

MAY 11 1998

SIRS:

I AGREE THAT THERE NEEDS TO BE SOMETHING DONE ABOUT BOATING SAFETY. MY CONCERN IS THAT IS MAKING **EVERYONE** WEAR FLOTATION DEVICES IS **NOT** THE ANSWER

SOME RULES GOVERNING RECREATIONAL BOATING THAT WOULD HELP ARE:

- 1-ALL BOATERS NEED TO TAKE A BOATING COURSE TO OBTAIN A LICENSE TO OPERATE A MOTORIZED BOAT – JUST LIKE A DRIVER’S LICENSE.
- 2-ALL CHILDREN UNDER A CERTAIN AGE SHOULD BE REQUIRED TO WEAR A FLOTATION DEVICE.
- 3-MORE LAW ENFORCEMENT ON THE WATERWAYS – ESPECIALLY ON THE BAYS AND OCEANS(NEAR SHORE). WE HAVE PAID FOR MORE LAW ENFORCEMENT IN S.C. BY THE WAY OF A SALTWATER FISHING STAMP, BUT I DO NOT SEE ANY EVIDENCE OF THIS ADDITION.

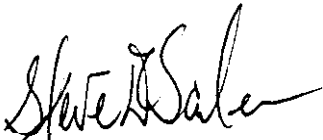
IT WOULD BE VERY COMBERSOME AND UNCOMFORTABLE TRYING TO WEAR A FLOTATION DEVICE WHILE I AM TRYING TO FISH. SOMETIME WE RUN FROM ONE LOCATION TO ANOTHER A SHORT DISTANCE AWAY. IF I HAD TO TAKE MY FLOTATION DEVICE OFF TO TRY AND FISH THE FISH MAYBE SOUNDED BY THE TIME I GOT IT OFF.

TRY AND PICTURE SOMEONE THROWING A CAST NET WITH A FLOTATION DEVICE ON.

THE TERM RECREATIONAL BOATING CAN BE OPEN FOR INTERPRETATION. IF FIFTEEN PEOPLE ARE TRAVELING THE INTER-COASTAL WATERWAYS ABOARD A 60’ SHRIMP TRAWLER, ARE THEY REQUIRED TO WEAR PFDS?

PLEASE GIVE THIS PROPOSED RULE CAREFUL CONSIDERATION BEFORE ACTING. THERE ALSO NEEDS TO BE A BETTER WAY OF INFORMING THE PUBLIC OF THIS PROPOSAL. I DON’T THINK IT HAS BEEN WELL PUBLIZED.

THANK YOU!



STEVE E SANDERS
105 1 QUAIL DRIVE
WALTERBORO, S.C. 29488

447

102 WATERFRONT DR.
MOWERS CORNER, SC 29461
MAY 11, 1998

MAY 11 1998

EXECUTIVE SECRETARY
MARINE SAFETY COUNCIL
US COAST GUARD HEADQUARTERS
2100 SECOND ST. SW
WASHINGTON, DC 20593-0001

DEAR EXEC. SEC. :

97-059

REF: CGD 97-066
RECREATIONAL BOATING SAFETY - FEDERAL REQUIREMENTS FOR
WEARING PERSONAL FLOTATION DEVICES

LET'S NOT FORCE ALL BOATERS TO WEAR PFD'S AT ALL TIMES, LET'S HOLD
THE OWNER, OPERATOR AND/OR PERSON IN CHARGE PERSONALLY RESPONSIBLE
(TO THE CG) FOR ANY DROWNINGS.... WITH LENIENCY (INCLUDING PROBATION)
IF PFD'S WERE WORN AND SEVERE PUNISHMENT (FINES & JAIL TERMS) IF
PFD'S WERE NOT WORN (ESPECIALLY WHERE A NON-SWIMMER WAS
INVOLVED).

THANK YOU FOR YOUR CONSIDERATION.

SINCERELY,

H. C. Notthum
102 WATERFRONT DR.
MOWERS CORNER, SC 29461

PS: I HAVE BEEN BOATING APPROXIMATELY 60 YEARS IN MOTOR BOATS &
SAIL BOATS ... LITTLE ONES AND BIG ONES. (AND, AS YOU KNOW, THERE
IS NO SIMPLE ANSWER!)

448

GERALD W. GANZ, D.D.S.
BONNIE BATEMAN-GANZ, D.D.S.
26 18 LOS COYOTES DIAGONAL
LONG BEACH, CALIFORNIA 90815

TELEPHONE (310) 425-1196

5/11/98

MAY 1 1998

Response to CGD 97-059

My main activity as a boater is salt water fishing. I do alot of offshore fishing in Southern California. I believe there is a small risk involved in boating, but I am willing to take that risk in order to enjoy fishing. We are equipped with the necessary flotation devices and they are handy in case of emergency. The wearing of a PFD while boating would adversely affect my ability to fish and maneuver around the boat. I feel that it is unreasonable to require the wearing of a PFD while boating.

The number of deaths attributed to drowning is very small in comparison to traffic accidents, disease + murder. Please do not try and protect us completely, we are responsible people and understand there are risks in everything we do.

449

Sincerely
Gerald Ganz D.D.S.

MAY 11 1998

97-059

May 11, 1998

Executive Secretary
Marine Safety Council
US Coast Guard Headquarters
2100 Second St. SW
Washington, D. C. 20593-001

Gentlemen:

I recently read of the proposed federal regulations requiring recreational boaters to wear life jackets and to receive safety education. Please include this letter with your response and comments.

Let me first comment on the proposed regulations for wearing personal flotation devices (CGD **97-059**). It is absurd for our federal government or any other governing body to mandate the wearing of life jackets by recreational boaters. It should be the choice of the individual boaters to protect themselves. However, I do agree that minors should be required to wear life jackets, particularly in vessels smaller than 16' and/or if they are not accompanied by an adult.

As for the second issue, I am in **full** support of the regulation requiring boat operators to receive boating safety education (CGD 97-066). I **feel** that a large percentage of operators have never had any formal training, and by requiring that training, we will be much more safe on our waters,

Thank you for the opportunity to respond to your proposals during the comment period

Sincerely,



Michael C. Richardson
1'11(Oakleaf Drive
Mt. Pleasant, SC 29464

450