

Dear Rear Admiral Cross,

I am responding to the request for comment on regulations concerning the wearing of PDFs on smaller vessels those under 16 feet and 16 to 26 feet.

A little background. I am 33 and have been sailing and rowing for 27 years. My experience includes a limited amount of blue water sailing on Schooners up to 120' but consists mostly of row boats and small sailing craft within 5 miles of land. Currently I own an 18' rowing boat that I race competitively on the ocean in New England.

In general I am in favor of increasing the PDF requirements so long as there are not negative impacts on the safety of the boat or extreme negative impacts on the use, enjoyment or propulsion of the boats in question.

Please consider and respond to the following questions:

1. Several States have imposed various requirements for wearing lifejackets--by children, during water-skiing, aboard PWC, canoes and kayaks, and sailboards, and so on. Should we continue to let individual States determine their own requirements for wearing lifejackets? Or should we propose Federal rules to--

a. Ensure that, if States do issue requirements for wearing lifejackets, those requirements be consistent with one another?

I support this as it reduces confusion. However it might be better to issue a guideline for state legislatures.

b. Preempt the several States from issuing any such requirements at all?

c. Apply only on those navigable waters where no State has issued requirements for wearing lifejackets?

This seems like a terrible alternative as it will lead to confusion, complaint and people will refuse to wear PDFs and drown out of spite.

2. Should we propose Federal rules requiring that any or all of the following recreational boaters wear lifejackets while underway? If so, which?

a. Any child under 13 years of age, or under some other age?

b. Any boater on a recreational vessel less than 16 feet in length, less than 20 feet in length, or some other length?

I am opposed to A and B because they are too broad a brush. For example it's impossible to row a rowing shell with a PDF. Shall we ban the sport? I am sure the answer is no, but it is a good example. Likewise if you happen to be 12 years old you should not be placed at a handicap (in the sport of racing shells) that will disappear at 13 or some other age.

Likewise in my own case. As a serious rower I find life jackets inconvenient some of the time. At other times I find them very reassuring. So I use my judgment depending on factors such as weather, water temperature, and water depth. For example I often row in water that is 1 or 2 feet deep in the summer. My need for a lifejacket under those circumstances is small. On the other hand in high winds in winter I put up with the inconvenience of a type III PFD for the added safety it provides.

However the life jacket also reduces my ability to row at speed. In my case speed is 4 to 5 miles per hour. In the summer when there are a lot of other boats on the water, most of which are bigger and faster, I find it very helpful to be able to go fast to get out of their way, cross channels quickly, and get away from

situations that appear dangerous. There are also fast currents in the waters I row and rowing fast is important if the current is 2 miles per hour.

These concerns are not unique to me or my boat. All the PFDs I own interfere with rowing a boat. I hope that in the case of rowboats you will leave the decision to wear a PFD at the discretion of the captain.

In the case of power and sail I do not believe that my arguments apply. In fact when sailing sailboards I always wear a PFD and I think only a fool would fail to. Users of small outboard motorboats could also benefit from wearing PFDs at little cost. Also your own statistics show that requiring PFDs for this group would cause the greatest reduction in deaths.

Finally in defense of skippers discretion in rowing craft I will point out that very few deaths by drowning are occurring among the rowing community, requiring them to wear PFDs would have little if any impact on the number of lives lost while having huge impacts on the sport of rowing.

c. Any boater on a specific type of recreational vessel, such as an open motorboat, a PWC, a sailboat, a sailboard, a rowboat, a canoe, or a kayak?

As I mentioned above I think they should be required for sailboards and I would add Kayaks and PWC on the principle that these are all boats that you are more or less expected to fall out/off of. The statistics for the number of people killed in small outboard motorboats recommend some requirement there as well.

I would recommend against rowing boats for the reasons stated above and sailboats as well. Few of the drowning deaths you are trying to prevent are occurring on these vessels and PFDs can be a detriment to handling the boat. Finally there is an issue of speed. Falling from a speeding PWC is very different from falling from a beetlecat moving at 4 miles per hour. Also the type of accidents likely to occur in small sailboats and rowboats are very different from the accidents that can occur under power. Finally I fall back on your own statistics. People are drowning on motor powered craft, those are the people who need to wear PFDs.

d. Any person being towed behind a recreational vessel on water skis, on an inflatable raft or tube, or on some other device?

For the reasons mentioned above I find this proposal reasonable.

e. Any boater who is the sole occupant of a recreational vessel? If so, should the rule not apply when a vessel capable of rendering assistance accompanies the first vessel?

No for the reasons mentioned above. This rule is probably dangerous as it encourages people in unseaworthy boats to cluster together without wearing PFDs. I have not seen any evidence that being alone in a boat increases your likelihood of drowning by itself. The evidence presented indicates that a motor is a part of the equation.

f. Any boater on a recreational vessel operating either in certain water or weather--such as fast currents, white water, high tides, cold weather, or gale-force winds--or where the recreational vessel is, or could drift to, more than a given distance from land.

I am against this because it adds complexity without adding safety. For example how do you define "could drift to". My guess is you define it in court with a lot of expensive lawyers. The goal here is to save lives, not create jobs for lawyers. Again the evidence indicates that PFD requirements should be aimed at specific types of vessels, mostly power and not at weather conditions.

g. Any boater on a recreational vessel defined by a specific combination of the boater's age, the vessel's type and size, its operation, and the prevailing water or weather?

Again this is a complex rule that is unlikely to save more lives than a simple rule. Though I don't have access to all the data I would be stunned if this made any sense.

Finally the drowning numbers for rowing boats and smaller sail boats may be so low as to make useful statistical analysis impossible. Better to focus PFD efforts on larger populations where we know there will be a positive impact that outweighs any cost.

3. Should we propose any Federal rules that allow alternatives to wearing Coast Guard approved lifejackets? If so, which alternatives? And if so, for which vessels, activities, water or weather, or boaters?

Again better to keep it simple. Don't provide alternatives, do require PFDs on the boats where the drownings are occurring.

4. Please describe any nonregulatory ways to reduce the number of deaths by drowning, that are achievable at lower cost or with less burden than by Federal rules for wearing lifejackets.

Education programs. They have worked very well so far.