

NY requiring life jackets during colder months for all passengers in small recreational boats

MICHAEL VIRTANEN Associated Press Writer

4:03 PM CDT, September 1, 2009

ALBANY, N.Y. (AP) — Seizing on the chilling fact that drowning happens faster in cold water, New York has become the first state to require life jackets on everyone in all small boats during the coldest half of the year.

More boating accidents happen in the summer, when more people are out on the water, but the fatality rate rises in the colder months, from 8 percent nationally in July to 25 percent in November last year. Officials say the scarcity of other boaters to help with rescues also increases the risk of death.

"The cold water carries greater risks than summertime warm weather boating," state parks department spokesman Dan Keefe said. "You lose your ability to swim. Even strong swimmers can succumb to the cold water because their arms and legs get numb and useless."

Falling into cold water can trigger shock, as well as gasping, causing the unexpected swimmer to suddenly inhale water. Immersion in water colder than 40 degrees Fahrenheit can lead to hypothermia and passing out within 15 minutes.

Starting Nov. 1, kayakers, canoeists and those aboard all other boats under 21 feet must wear Coast Guard-approved personal flotation devices while on New York's coastal waters, lakes, rivers and other waterways. The rule will remain in effect through May 1. Violators face fines ranging from \$25 to \$100.

Similar seasonal requirements for wearing personal flotation devices apply to canoes and kayaks in Massachusetts and to all manually propelled vessels, including rowboats, in Connecticut.

The New York law is broader, affecting all pleasure craft, including small sailboats and motorboats, according to the state Department of Parks, Recreation and Historic Preservation.

The department, which oversees marine law enforcement in New York, sought the law. The state Legislature passed the bill, with boating industry backing, in the spring. Gov. David Paterson signed it this summer.

"It's perhaps the No. 1 best thing you can do to protect yourself on the water, wearing a life jacket," said Matthew Long, of the National Association of State Boating Law Administrators.

New York law already required PFDs for all children under 12 on boats less than 65 feet, with life jackets onboard for others. They must also be worn by anyone in tow — like water skiers and tubers — and by all riders on personal watercraft, Keefe said. Racing shells used by crew teams are exempt from the requirement.

Most boating deaths nationally are drownings from smaller craft, with 421 last year, according to the U.S. Coast Guard. Of the 709 total boating deaths, 510 people drowned. About 90 percent weren't wearing life jackets.