

**NATIONAL TRANSPORTATION SAFETY BOARD  
WASHINGTON, D.C**

**Public Forum**

**Personal Flotation Devices in Recreational  
Boating**

August 25, 2004

**SUBMITTED PAPER**

**Title:** The American Canoe Association Response to  
Mandatory Wear of PFDs on Recreational Boats

**Affiliation:** American Canoe Association

**Submitted By:** Pamela Dillon, Executive Director  
American Canoe Association  
7432 Alban Station Blvd., Suite B-232  
Springfield, VA 22150



**The American Canoe Association Response to**  
**Mandatory Wear of PFDs on Recreational Boats**

Pamela Dillon, Executive Director  
American Canoe Association  
7432 Alban Station Blvd.  
Suite B-232  
Springfield, VA 22150  
(703) 451-0141  
pdillon@acanet.org  
www.acanet.org

The American Canoe Association strongly believes in safe and educated boating. The ACA educates over 100,000 paddlers annually in paddle skills and paddle safety, highlighting the importance of PFD (Personal Flotation Device, commonly interchanged with "life jacket") usage. "Making the world a better place to paddle," the ACA slogan, relies on a knowledgeable and well versed boating community to help keep the waterways clean, safe, and paddle friendly.

### **INCREASED DEMAND**

There has been an increased demand in the past several years in the paddlesport market, primarily in the area of recreational kayaking. Though canoeing is still the dominant venue of paddlesport, kayaking is on the rise. This increase can be attributed to a number of factors. First, boating is finally becoming affordable and manageable. Rare are the days of hauling a 17 foot, 85 pound canoe on your shoulders. Today, people can buy a 10'-12' recreational kayak that weighs under 45 pounds, carry it themselves, and enjoy nature on their own. Recreational kayaks allow people with arthritis and other ailments to easily get in and out of a kayak, not worry about being confined in a small area, and the freedom to fall out if capsize should occur. This increased membership in the paddling world has both positive and negative aspects. The positive is that more people are now experiencing the outdoors in ways they either never could, or recently could not due to age, ailments, or income. The negative is that boats are being sold to inexperienced paddlers by inexperienced employees not entirely concerned with the risks involved with paddlesport. This increased demand puts more people on the water and more people at a greater risk for fatality. Statistics show, however, that the number of boating fatalities has not increased in proportion to the number of boat owners. Kayaking is not the niche in the market most responsible for the majority of boating fatalities. That niche is occupied by recreational canoeists.

Before deducing what causes canoeists to be the at-risk group among paddlers it is important to understand what separates canoes and kayaks from other boats. Canoes and kayaks are smaller and have a different hull design than typical motorized craft. The risk of capsizing can be higher and avoiding capsizing is more dependent on the skill of the operator. Paddlers must be aware of safety concerns regarding PFD use (Personal Flotation Device, commonly interchanged with "life jacket"), water conditions, self rescue, and self recovery. The majority of paddling enthusiasts are aware of this necessity, and this knowledge is what separates enthusiasts from casual or infrequent recreational paddlers.

## **FATALITY STATISTICS**

Boating fatalities are a tragedy. Every effort should be made to study the reasons for these fatalities and ensure that they do not happen again. The boating fatality statistics used throughout this document (unless otherwise cited) are taken from Critical Judgment II: Understanding and Preventing Canoe and Kayak Fatalities, 1996-2002. The fatalities statistics relating to canoes and kayaks show divergent numbers. Of a total 558 observations, 72% of fatalities occurred while operating a canoe, while 28% were related to kayaking. This large difference demands attention to canoeing in particular.

Canoe deaths can be related to a number of factors, the most common and likely being capsizing. Capsizing can occur for a number of reasons: broaching an object in moving water, high winds, heavy current, and weight shift. The following are fatality scenarios taken from page 19 of Critical Judgment II:

- Three men were fishing. While passing under a low tree a snake startled the men and they capsized the boat.

- Victim was fishing off a dock on the river. His fishing line got hung up in the water. He got in a canoe to get the line out. As he was attempting to free the line the canoe turned over. Victim fell in water and drowned.
- A woman and her husband were out in their aluminum canoe fishing. They had just started paddling across the pond when the man dropped something into the water. He leaned over the edge to retrieve the object and the canoe capsized.

Though these are a select few of the many boating fatalities, there are common factors: 1) the primary activity was something other than paddling, 2) the occupants shifted weight in the canoe, and 3) the occupants were not wearing PFDs.

### **IMPACT OF LEGISLATION**

The impact of a mandatory PFD requirement is difficult to estimate. The important idea is that there are fatalities that can be avoided. In 85% of canoeing fatalities, the victim was not wearing a PFD. This is a large statistic that deserves immediate attention, and that attention should begin with education.

### **COMPLIANCE**

People will be more likely to wear a PFD if they are aware of the risks and benefits. "Because of the nature of the crafts, the paddler is more likely to end up *in* the water than other types of boaters. A responsible paddler should always assume that he or she is likely to get wet. A vital part of enjoying paddlesports in a safe manner is the awareness that water can be cold and deadly. A serious obstacle to instilling this vital concept in many potential victims is that they don't consider themselves as 'paddlers' per se, don't seek out instruction, and often ignore paddler-specific safety education" (11). This perception of "I'm not a paddler, I don't need instruction" is at the heart of boating accidents. If a paddler is not aware of the danger that cold

water and hypothermia present, that paddler is less likely to dress appropriately. In fact, 71% of boating fatalities were in water less than 65 degrees (23). Cold water is debilitating and unforgiving. It should be of serious concern to all boaters.

Other obstacles face paddlers as well. Low-head dams, strainers, bridge abutments, sieves, undercut rocks, and powerful hydraulics are only a few of the most common adverse conditions of which paddlers need to be aware. Distance from shore, as well as distance from aid, is also a factor for paddlers who like to explore places most powerboats cannot. These are all examples of conditions which require education. Through this education it will become clear the need to wear a PFD. However, compliance will not come without resistance. The sportsmen paddlers, those paddlers who use their canoe or kayak primarily for angling and hunting, are likely be those most opposed to mandatory PFD usage. This is also the classification which tends to be most undereducated. The sportsmen will not be alone. Competition racers, marathon canoeist, and other specialized paddlers will oppose the restriction. PFD use is important for the safety of the vast majority of paddlers, but it is not all-inclusive.

## **ENFORCEABILITY**

If regulators impose a mandatory PFD requirement, that usage will have to be enforced. States will have to find some way to fund this already under funded enforcement. This enforcement will also have to spread its reaches into technical whitewater areas which will necessitate further training for the officers.

## **COSTS TO BOATER**

The financial impact of mandating PFDs does not fall exclusively on enforcement agencies. The boaters themselves would also feel the burden. Even though the cost of purchasing a recreational boat has declined, the cost for paddles, car carrying systems, helmets, and clothing

has not. If PFD use is mandated, participants will most likely purchase more expensive versions to facilitate comfort needs.

## **LEGAL IMPLICATIONS**

The implications of mandating PFD use could spread to legal debate as well. Paddlesport is an activity which is beneficial to the health of the participant, popular, and environmentally friendly. By mandating PFD use there is the risk of building barriers to participation in a positive activity.

## **RELATIONSHIP WITH EXISTING RULES**

Currently, some mandatory PFD requirements have already been implemented. For example, the American Canoe Association is a strong supporter of the United States Coast Guard regulation to require PFD use on those under the age of 13. Also, Personal Water Craft (PWC) operators are required to wear a PFD in all states except Hawaii, Idaho, and Wyoming (reference section of NASBLA.org). There are 41 states that require the usage of a PFD while water skiing. In contrast, there are no current federal regulations regarding cold water.

## **BARRIERS OF PFD USAGE**

The Canadian Safe Boating Council conducted a study regarding PFD usage and full detail of their results can be found at [www.csbc.ca](http://www.csbc.ca). Their study listed five barriers that kept participants from wearing a PFD. Those barriers are: 1) they perceive a low risk of drowning, 2) a PFD would restrict movement or interfere with other activities, 3) PFDs are uncomfortable, 4) PFDs are unattractive, and 5) wearing a PFD shows a sign of fear or inadequacy. Fortunately, advancements in PFD manufacturing can help eradicate a number of these hesitations. PFDs are now of a much lower profile offering a more free range of motion while paddling as well as being much more conducive to swimming should capsizing occur. PFDs are more comfortable and

form fitting. There are even PFDs catered specifically toward women. The fashion of boating has come a long way since the days of "Deliverance." PFDs now come in a variety of colors and styles to match any personality or any boat color. They are also much more activity-specific for whitewater, touring, recreational use, angling, and safety.

## **ALTERNATIVES**

Even with all this new technology, the reality is none of it will make any difference if the boaters are not sensitive to the sport. The most viable alternative to mandatory PFD use is education. The American Canoe Association strongly feels that a properly educated paddler is a safe paddler. The ACA is a nation-wide instructor certifying body dedicated to making the paddling community smarter and safer.

The research conducted on PFD use is not exhaustive. The numbers are always changing, new paddlers are always on the water, and there is always a risk. Currently, the best and most effective vehicle for creating a safe, happy paddling public is proper education. This can be done through a coordinated marketing campaign on boating safety, PFD use, and PFD options (including self inflating PFDs). Most educated paddlers know what is appropriate in any given situation. Unfortunately, those educated paddlers are in the minority.

## **CONCLUSION**

The ACA is a full supporter of an educated, safe paddling community. In addition, the ACA strictly adheres to the following policy statement:

The ACA will require that properly fitted USCG approved PFDs be worn by all participants during all ACA-sponsored water based activities, excepting certain training and competition exemptions, such as those allowed by the USCG PFD carrying regulations. The ACA will promote PFD wearage and educate the paddling public on the risks avoided and the

benefits realized by wearing a PFD. ACA Instruction courses, educational materials, and all publications shall promote and portray the wearing of properly fitted PFDs, except where exempted by the Paddler magazine Advertising and Editorial Policy (as approved 5/14/03 by PPI Board of Directors), or during approved training and competition, or otherwise exempted from use by the United States Coast Guard.

Additional information and reference material can be found in the attached Critical Judgment II, as well as on the ACA website, [www.acanet.org](http://www.acanet.org).

## Works Cited

- American Canoe Association. Critical Judgment II: Understanding and Preventing Canoe and Kayak Fatalities, 1996-2002. American Canoe Association; Springfield, VA: 2004  
(Critical Judgment II available on-line: <http://www.acanet.org/sei-critical-judge.htm>)
- Canadian Safe Boating Council. Will it Float? Mandatory PFD Wear Legislation in Canada.  
[www.csbc.ca](http://www.csbc.ca) (accessed July 28, 2004).