



New York State - New Life-Jacket Law Went Into Effect Nov 1, 2009

by VINCENT T. PICA, II

District Captain, Sector Long Island Sound/South, D1SR • United States Coast Guard Auxiliary



As you've seen, we've written a fair number of times about how life-jackets save lives, such as yours. See SSP, "Life Jackets Save Lives - Yours!", 2/11/09, "Do I Really Need To Wear a Life-Jacket?", 9/24/08, "Do I Need a Life-Jacket?", 1/3/07. But NYS upped the ante last year - and it was well over-do... This article is about that.

Cold Kills

We've all heard the mantra that "Speed Kills" - and so does cold water (see SSP, "Cold Water Survival, Hypothermia, Rescue & Recovery", 10/27/10) Last year, Governor Paterson has passed a law that went into effect as of 11/1/09 - making New York the first state to require everyone aboard all small boats to wear life jackets during the coldest half of the year. As of November 1, kayakers, canoeists and those aboard all other boats under 21 feet must wear Coast Guard-approved personal flotation devices (PFDs) while on New York's coastal waters, lakes, rivers and other waterways. PFDs on such vessels become optional again in the Spring - May 1.

While not as "aggressive" as this author would like, i.e., boats could certainly be larger than 20' and fines could be higher, as an example, let's not be churlish. Although Massachusetts and Connecticut already have similar seasonal PFD requirements, New York's law is broader and affects all pleasure

craft including small sailboats and motorboats (rowing shells used by crew teams are exempt).

Massachusetts' law only applies to canoes and kayaks, and Connecticut's law applies to all manually propelled vessels, including canoes, kayaks and rowboats.

Let's Review!

What are the laws in the State of New York? Here they are: <http://www.nysparks.state.ny.us/recreation/boating/documents/NYSBoatersGuide.pdf>

Every pleasure vessel operated upon the waters of New York must carry at least one USCG approved Type I, II or III Personal Flotation Device (PFD), or life jacket as they are more commonly known, for each person on board. All life jackets on your vessel must be:

- **Serviceable** - free of rot, tears, punctures, waterlogging and all straps functional;
- **Readily Accessible** - quickly reachable in an emergency situation, never kept in plastic bags or under lock and key;
- **Appropriate Size for the Intended Wearer** - check the USCG approval label for information on the intended user for a particular PFD.

Wear Requirements for Personal Flotation Devices

- Children under the age of twelve

must wear a Type I, II or III PFD on board a vessel unless they are in a fully enclosed cabin. The PFD must be the appropriate size for the child.

- Anyone operating or riding on a personal watercraft (Jet Ski, Wave Runner, or similar craft)
- Anyone being towed behind another vessel such as waterskiers, tubers, para-sailing, etc. You are exempt if you are on a disabled vessel and being towed.

Types of Personal Flotation Devices

• Off-Shore Life Jacket (Type I PFD)

Effective for all waters, this type of lifejacket provides the most buoyancy. They are designed to turn most unconscious wearers in the water to a face-up position. There are two sizes: adult, with 22 lbs of buoyancy; and the children's size with 11 lbs of buoyancy.

• Near-Shore Buoyant Vest (Type II PFD)

The near-shore buoyant vest is intended for calm, inland water, where there is a good chance of a quick rescue. This type of lifejacket will turn some wearers over, but not reliably. The adult vest provides 15.5 lbs of buoyancy, and the child's vest 7 lbs.

• Flotation Aid (Type III PFD)

Good for calm, inland water, where there is a good chance for immediate rescue. These are designed for special recreational activities such as water skiing. The Type III provides the same

buoyancy as the Type II, but without any turning ability. They come in many colors and styles, and in general, are the most comfortable type of life-jackets available.

• Throwable Devices (Type IV PFD)

These PFDs are designed to be thrown to a person in the water, and grasped and held until rescued. These devices are not intended to be worn. At least 1 Type IV PFD must be carried on all vessels 16' or greater in length.

• Inflatable PFDs

The United States Coast Guard is now approving both automatic and manually inflatable PFDs for use on recreational vessels. Please keep in mind that while they are comfortable and lightweight, they are not suitable for non-swimmers, waterskiers, youths under the age of 12 and riders of personal watercraft. Always consult the approval label on any PFD to determine if it is approved for the activity in which you plan to use it.

Don't have a current NYS Boating Regulations Guide? Email me - we'll find a way to get it to you. Similarly, if you'd like a copy of any of the columns cited, email me and I'll send it to you.

BTW, if you are interested in being part of USCG Forces, email me at JoinUSCGAux2010@aol.com or go direct to John Blevins, who is in charge of new members matters, at FSO-PS@emcg.us and we will help you "get in this thing..."



FISHING WITH TONY

EPA Decision on Lead Ban for Recreational Fishing Tackle Looms

by TONY SALERNO

The sport fishing community is asking the Environmental Protection Agency (EPA) to rule on the side of scientific fish and wildlife population management and dismiss a petition filed in August by the Center for Biological Diversity and four other groups requesting that the Agency ban the manufacture and sale of lead in fishing tackle under the Toxic Substances Control Act (TSCA). Should the EPA rule in favor of the petitioners; this decision will have a significant, negative impact on recreational anglers and the sport fishing industry. The ruling will create a ban on all lead in fishing tackle, including sinkers, jigs, weighted fly line, and components that contain lead, such as brass and ballast in a wide variety of lures, and other tackle.

"The petitioners lack credible science to back their request. When it comes to far-reaching decisions such as a ban on all lead in fishing tackle, all available scientific information must be brought to bear on that decision," said American Sport fishing Association Vice President Gordon Robertson. "The petitioners claim that lead is threatening loons across the nation, but several studies, including the most recent population study by the U.S. Fish and Wildlife Service, say that loon populations are either stable or increasing throughout most of their range."

Robertson noted, "Such an extensive ban is not only unwarranted, but it is wildly unpopular. Over 43,000 anglers have written the EPA requesting the dismissal of this rule. In addition, numerous conservation and sporting organizations have requested the EPA to dismiss the petition. The sport fishing community urges the EPA to dismiss the petition and respect the requests of our nation's sportsmen and women."

"In addition to the outcry of opposition from anglers, approximately 100 Members of Congress have contacted EPA Administrator Lisa Jackson requesting that the petition be dismissed." Robertson further noted, "Because this issue continues to reappear, legislation has been introduced in both the House and the Senate to prevent such a large and unwarranted ban on lead fishing tackle and ensure that any future regulations are established in response to scientific data instead of unjustified petitions."

Anglers are encouraged to visit www.keepamericafishing.org to learn more about this issue and continue to express their concerns to EPA Administrator Jackson and their U.S. House and Senate members.



Suffolk County Legislator Jack Eddington

Making Our Suffolk Roads Safer

Long Island has a lot to be proud of: Beautiful hamlets and villages, some of the best schools in the country; beaches second-to-none, and residents who genuinely care about family and community. If only we had more time to stop and actually enjoy all of these blessings, but the truth is we Long Islanders are always in a rush, pushing hard to get to work, to our kids' games and practices, to doctors' appointments, and so much more. It is this rush to beat the clock that is reflected in our driving habits. And this is why our Suffolk County Police Department has instituted the Red Light Program and the R.O.A.D. (Registered Owner Awareness and Decision) Safety Program. Both programs are designed to encourage drivers to change dangerous behaviors on the roadways.

The Red Light Program is a safety program designed to change driver behavior at red light intersections. Who has not witnessed the drivers who, rather than slow down when a light turns yellow, actually speed up in order to beat the light while "it's pink"? And what about the drivers who simply run red lights, either because they are traveling too fast to slow down or because they simply do not feel the need to heed the signal? It happens all too often, and the consequences are disastrous. Red light running is estimated to produce more than 100,000 crashes and an estimated 1,000 deaths in the U.S. each year.

By law the Red Light Program (which began in our county last June) permits the installation of red light cam-

eras at up to 50 intersections in Suffolk County. Currently, 19 intersections have received the red light cameras. Those cars that run the lights and are caught on camera will be issued a citation that carries a \$50 fine. The goal is to encourage drivers to obey traffic lights, particularly at some of our most dangerous intersections.

The R.O.A.D. Safety Program directly addresses aggressive driving, a growing problem across America and certainly a behavior fully in evidence on our Suffolk County roadways. Weaving, speeding, passing on the shoulder, and tailgating are all examples of aggressive driving, and all are dangerous. While our police department has a number of programs to combat aggressive driving, regular citizens who want to do the right thing can get involved as well. All too often, aggressive drivers continue their dangerous behaviors because they have never been caught.

Those who see or experience an incidence of aggressive driving are encouraged to go to the Suffolk County Police Department web site and click on the Report Aggressive Driving link. Once there, they will be able to access the online form to report the incident with as much factual information as possible. Or they can call 852-COPS.

The safety of our roadways will always rely on police enforcement. But it also relies on drivers getting educated and changing irresponsible behaviors. Let's make Suffolk County's roads safer by taking those positive steps.