

Lifejackets and recreational boating

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Wearing and using your lifejacket is the focus of recent changes in regulations. Buying a cheap PFD and stowing it in a locker to be dragged out for an annual inspection is no longer adequate.

Regulations relating to the wearing of lifejackets have been in effect for a year now, and boaters can expect that Maritime will be serious about policing them. These regulations represent some of the most significant changes to personal safety in recreational boating that we have seen for some time, and need to be taken seriously by the recreational boater. It is worth noting that in the last few months there were several accidents in which lives were lost in incidents where a lifejacket could have made a difference.

The changes were implemented following a very extensive analysis of boating accidents and the likely effect of compulsory use of lifejackets on drownings. Your Association was closely involved with this process and provided extensive advice and assistance. The deliberations were based on a detailed study of the risk factors involved, and the requirements have been matched, as far as practicable, to those risks.

The result is a set of rules that are, arguably, complex to comply with. This means that boaters have to be familiar with the way that the requirements vary for different individuals, at different times, on different boats, for different activities and in different areas. The upside of this complexity is that it emphasises the importance of skippers and crew being constantly aware of their current situation and the various risks that are part of that situation.

NSW Maritime has provided comprehensive information in a number



of brochures and on their website at <http://www.maritime.nsw.gov.au/campaigns/lifejacket.html>.

Although a full description of the regulation is quite complex, the rules in respect of one vessel and one person can usually be brought down

to a few simple points.

The factors that need to be considered are:

- The type of activity: the chance of being in the water, separated from the vessel, or injured, varies according to the activities undertaken.

- The size of the vessel: different rules can apply to vessels less than 4.8m, and less than 8m.
- The area in which the vessel is operating: protected waters, open waters, an ocean bar or alpine waters.
- The time of day: different rules apply from sunset to sunrise
- The age of the boater: children under 12 require special consideration
- But even when the risks being considered are reduced down to this small list, the resulting rules are still complex. Can the rules be spelled out a bit more simply for day-to-day use?

Firstly, there are circumstances where a 'blanket' rule applies, and there is only one thing to be considered. This includes being towed, off-the-beach sailing and crossing coastal bars. For these cases, boaters can simply look up the activity in the table and make sure they are wearing a suitable lifejacket.

Secondly, there are conditions which are likely to be constant during the boating activity. For instance, the length of the vessel is fixed, so for any one vessel the regulations can be immediately trimmed down to those that apply to that size vessel only. Similarly, the age of a crew member is fixed, so the rules regarding age will not vary for any one person. Boaters operating in alpine waters can concentrate on the special requirements applying to that area.

It is the conditions that aren't constant that the boater needs to be aware of, so that they are monitored and allowed for in complying with the regulations. These include

- Time of day requirements are different between sunset and sunrise
- Area of activity – open waters, protected waters, alpine waters and more than 400m from shore.

The risk factors highlighted by the regulations are a simplification of the issues relating to wearing PFDs. Other important things that are not part of the regulations include the ability or experience of the boater, the likelihood of prompt recovery from the water, the temperature of the water, changes in the weather, or the use of other safety devices such as lifelines, life rings, safety harnesses and built-in flotation in the vessel. The regulations should be regarded as a minimum standard, and other things affecting the risk such as those listed above must be considered by each boater, and their skipper, in making a decision about wearing their lifejacket.

The responsibility is emphasised in the last regulation. This is a 'catch-all' that clearly puts the responsibility on the skipper to be aware of the current situation and to ensure that crew are properly prepared. It again emphasises the importance of a proper evaluation of the whole situation and the responsibility of the skipper and crew to ensure that lifejackets are used in circumstances of heightened risk.

One issue which received considerable attention during the development of the regulations was the possibility of a lifejacket causing injury or death, or adding to the seriousness of a situation. There have been incidents where unexpected inflation of a lifejacket has resulted in injury or has made it more difficult for a person to exit a sinking vessel, and it is possible that wearing a lifejacket may restrict a person's ability to handle an emergency situation. Skipper and crew should be aware of these risks

and should be familiar with using, wearing and maintaining their lifejackets. Lifejackets should be chosen with careful regard for how they will be used and how they will affect regular boating activities.

Any set of regulations will include anomalies, especially at the boundaries. The 400m distance limit, or the 4.8m vessel size are obviously arbitrary. 400m might be a practical distance to paddle a swamped dinghy in calm waters on a sunny day, but 50m could be too far with a strong wind in cold water. The numbers and other distinctions made in the regulations are



enforceable, but they are also guidelines to be used when assessing the possible dangers and deciding about wearing a lifejacket.

The new regulations can be expected to save lives. But how well that objective is achieved, and at what cost to the boater (in convenience and comfort, not just money), depends not on the regulations themselves but on the extent to which the behaviour of the boating community changes. The emphasis that the regulations put on individual responsibility, and the requirement that the regulations impose for boaters to be aware of their risk factors, should contribute significantly to this change.