

# S.326

## AN ACT RELATING TO MISCELLANEOUS AMENDMENTS TO LAWS RELATING TO MOTOR VEHICLES

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**Al Johnson**

***Boating Law Administrator***

Department of Public Safety

VT State Police-Marine Division

(802) 904-3122

[alan.johnson@vermont.gov](mailto:alan.johnson@vermont.gov)

# **The Goal:**

**Everyone comes home safely from  
a day on the water.**

# The Reality:

Cold water boating season is extremely dangerous.

Fewer boaters on the water leads to slower response times.

Due to its significantly higher thermal conductivity and density, water drains the body of heat 25 times faster than air.

In a cold-water immersion, every second counts.

Life jackets buy time and increase survival rates.

# 1. Physiological Reality: “Cold Shock”

**Cold Shock Response (First 1–2 Minutes):** Immersion in cold water causes an involuntary gasping reflex, which can lead to inhaling water and immediate drowning, even for strong swimmers. A life jacket keeps the head above water during this reflex.

**Cold Incapacitation (First 10–30 Minutes):** Cold water causes blood to rush to the core, causing rapid loss of muscle control in arms and legs, making it impossible to swim or hold onto a boat.

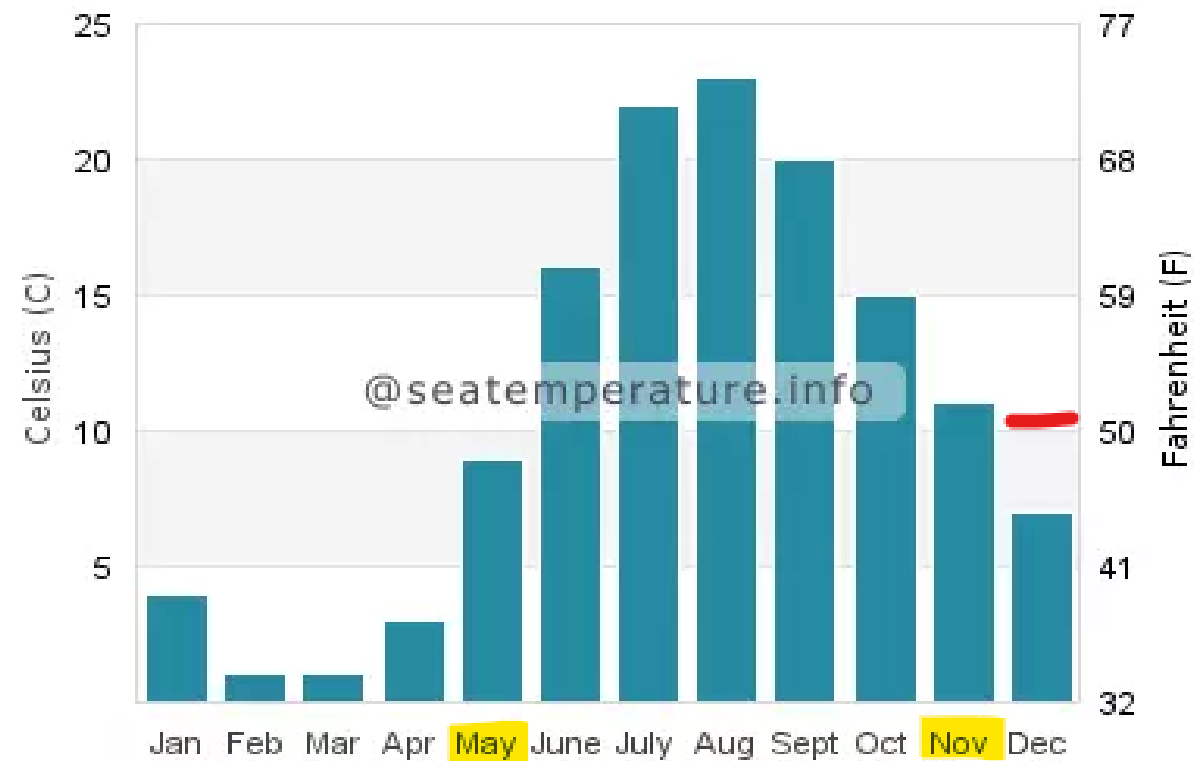
**Misconception of Hypothermia:** Many people believe they will die of hypothermia hours later, but most cold-water fatalities occur within the first few minutes due to drowning from cold shock or incapacitation, *before* severe hypothermia sets in.

## The 1-10-1 Principle:

- **1 Minute** to control breathing and avoid drowning from shock.
- **10 Minutes** of meaningful movement before “swim failure” occurs as muscles lose coordination
- **1 Hour** before severe hypothermia causes unconsciousness

**Water Doesn't Need to be Freezing:** Cold water shock is a significant danger in water temperatures below 70°F, and is particularly severe in water below 50°F.

Chart monthly average water temperature in Lake Champlain



<https://seatemperature.info/lake-champlain-water-temperature.html>

## 2. Effectiveness & Data

**High Fatality Rate Without Life Jackets:** Data indicates that approximately 75% to 87% of drowning victims in boating accidents were not wearing a life jacket. (USCG)

**Life Jackets Save Lives:** The U.S. Coast Guard estimates 80% of boating fatalities could be prevented if victims were wearing life jackets.

**Accessibility vs. Wear:** Simply having a life jacket on board is insufficient in cold water because the shock and muscle failure happen too quickly for a victim to find and don a jacket while in the water.

**Behavioral Impact:** Research indicates that mandatory legislation is the most effective way to affect behavior **change** among adults, who are otherwise unlikely to wear life jackets consistently.

## 3. Safety vs. Convenience

**False Sense of Security:** Warm air temperatures in spring or fall can mask dangerous water temperatures.

**Heavy Clothing Trap:** In cold weather, boaters wear heavy layers that become waterlogged, dragging even strong swimmers down, making a life jacket essential for buoyancy.

**Increased Danger for Paddlecraft:** Kayaks, canoes, and stand-up paddleboards have a higher risk of capsizing and require mandatory wear due to the high risk of falling in.

# 4. Policy & Practicality

**Existing Precedents:** Other northeast region states already have mandatory cold-weather wear periods (e.g., Nov 1 – May 1) for small vessels (*NASBLA Seasonal Wear Map*):



# Policy & Practicality...continued

**Proactive Protection:** These laws protect boaters during the most dangerous times of the year.

**Simplifying Compliance:** A mandatory wear law removes ambiguity, ensuring all passengers are protected rather than relying on quick decision-making during panic.

**Reduced Burden on Rescuers:** A life jacket increases visibility in the water, making rescue operations faster and safer for emergency personnel.

**Enforcement:** Although enforcement is not a primary goal, Vermont Game Wardens are often on the water or at boating access points and could conduct life jacket compliance verification during waterfowl hunting checks.

## **5. Success Story: Pennsylvania**

**Since 2012, Pennsylvania's mandatory cold water life jacket law has significantly improved boater safety by requiring life jackets on small boats, canoes, and kayaks from Nov. 1 to April 30. This regulation, targeting cold-water shock, has cut cold-weather boating fatalities by approximately 50%, with cold-weather death percentages dropping from 58% in 2012 to 17% recently. (PA Fish & Boat Commission)**

<https://www.healthvermont.gov/sites/default/files/document/hsi-recreationalboating-2025.pdf>



**Expanding and Refining Recreational  
Boating Safety Data in Vermont  
2019-2023 Pilot Data Report**



September 2025



# VERMONT BOATING INJURY DATA PROJECT

# Other Boating Safety Information

## **Vermont Boating Statutes**

Title 23: Motor Vehicles, Chapter 29: Snowmobiles, Vessels & Water Sports, Subchapter 2: Vessels

<https://legislature.vermont.gov/statutes/chapter/23/029>

## **Vermont Use of Public Waters Rules**

<https://dec.vermont.gov/watershed/lakes-ponds/vermont-use-public-waters-rules>

## **Vermont State Police-Marine Unit**

<https://vsp.vermont.gov/divisions/fieldforce/recenforcement/marine>

## **Boating in Vermont (VT Fish & Wildlife)**

<https://vtfishandwildlife.com/fish/boating-in-vermont>

## **National Association of State Boating Law Administrators (NASBLA)**

<https://www.nasbla.org/home>

## **US Coast Guard Boating Safety**

<https://www.uscgboating.org/>