



## Living and working on the water DNR warden has seen just about everything in quest to keep people safe

By Todd S. Bergmann, Thursday, March 7, 2019

Darren Kuhn has collected many stories in his career as a recreation safety warden, along with a strong desire for people to stay safe while having fun.

Kuhn, who works for the state Department of Natural Resources, recently spoke to the Manitowoc County Lakes Association during a meeting in Manitowoc.

He noted that a new waterskiing law took effect last year. Under the old law, a boat pulling a skier or tuber needed a competent observer on board.

“Bad apples tried sneaking around that rule,” he said.

“I’ve seen everything from dog being a competent observer to mannequins in the passenger seat facing backwards.

“I’ve seen people point blank just not have an observer and say, ‘I’ve got a big mirror.’ Back when that wasn’t the law, my response was, ‘It does not count.’ Now it counts.” Under the new law, boats, including personal watercraft, need either a mirror or a competent observer when pulling a skier or tuber. Kuhn said the new law has not resulted in any change in the number of accidents.

Local governments and lakes associations may not supersede the new law, unless a lake has 1,500 hours a year of patrol time.

No lake in this county has this much, Kuhn said. The Manitowoc County Sheriff’s Department provided 500 hours of total patrol time on all lakes in the county, last year, he said.

Boats also need one U.S.Coast Guard-approved, readily available life jacket for each passenger, including skiers and tubers, Kuhn said.

They may either wear the life jacket or let it sit aboard the boat.

“I don’t see a lot of people tubing or skiing without a life jacket,” he said.

“Readily available” means not in a locked container and not buried under duck decoys, Kuhn explained.

Although state law only requires them to be on board, he encouraged paddle-boaters to wear life jackets, in case they fall off the boat.

People on personal watercraft, like Jet Skis, must wear life jackets in state waters, Kuhn said. In federal waters, such as Lake Michigan, the requirement applies only to children 12 and younger, he said.

“We, as a state agency, would obviously recommend that everybody wear life jackets,” Kuhn said. “But, there is no legal requirement.

“We know life jackets will save lives. It will prevent you from drowning.” The DNR requires



### Safety First

Darren Kuhn, a state Department of Natural Resources recreation safety warden, speaks to members of the Manitowoc County Lakes Association during a recent meeting. He addressed several issues, mainly boating and recreational vehicle safety.  
—Journal Photo

its employees to wear life jackets while on a boat, he noted.

Kuhn said he enforces the law requiring life jackets onboard boats.

“If you have a birthday party for 15 kids and you have three adults, there better be 18 life jackets on there and 15 better be for kids,” he said. “If you take a life jacket that fits me and give that to my 11-year-old daughter, if she goes in, what is going to happen to that life jacket? “That’s going to go right off her. She’s going to go down. The life jacket is going to stay on the surface and I am a daughter short.” Although the DNR does not require children to wear life jackets, Kuhn suggested par-

ents and grandparents require them.

“My kids wear them,” he said. “I wear them. I can swim. But, I cannot swim if I am unconscious. That life jacket will work whether I am conscious or I am not.” Life jackets must be U.S.

Coast Guard-approved, Kuhn emphasized.

“I asked a fisherman for his life jackets,” he recalled.

“He pulled out some clear package.... They are airline life jackets. If you reach under the seat, there is a life jacket.

He bought four of them on eBay. It said ‘U.S. Air’ right on them.

# Living and working on the water continued

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“I said, ‘These are not Coast Guard-approved. These don’t count.’ He said, ‘This is all I’ve got.’ I said, ‘To the landing you go.’” Kuhn said he also enforces capacity limits on boats when he sees a problem.

“It is a clear, ‘Your boat is going to sink, dude, if you don’t get this thing off the water,’” he said. “Luckily, I have never seen one sink.” In particular, Kuhn said he would issue a citation when four people are on a Jet Ski, which has a capacity of one or two.

Federal law requires capacity plates on boats under 20 feet long, specifying the number of people or pounds allowed onboard. “I have not gotten a real good explanation of it,” he said. “If you do the math on the weight of the people, it is like everyone is 150 pounds.

“When they passed the law, maybe that was the general average of an adult person.

Really in our society, there are not a lot of 150- pound people left.” Kuhn said another concern is people born after 1985 who have not completed a boater safety course. It only teaches basics, such as to not tie a boat while going through a lock, Kuhn said.

“Now, you laugh,” he said.

“But, I have seen it. I have worked most of my career on the Fox River, where people tie up and now their boats are hanging.” Some of these boaters may be drunk, he said. But, no Wisconsin law prohibits boaters or passengers from having open intoxicants.

“You can drink and drive on your boat,” he said. “In any of our recreational vehicles, you can have the steering wheel in one hand and a cocktail in the other, going on the assumption that you are not impaired and not intoxicated.” Although no law prohibits it, Kuhn asked all-terrain vehicle operators, boaters and snowmobilers to not drink behind the wheel.

“Please be the designated driver,” he said. “Leave the drinking until you get home.” Kuhn said he always keeps an eye out for and arrests drunk or drugged boaters.

Once drunk boaters get to shore, they soon become drunk drivers, towing a boat.

“If I can get a drunk boater off the water, I am all right with that,” he said. “I have to do it right. I cannot just pull up to every boat and sniff.

“Drunk boating is a major problem.” Wisconsin has too many boat and recreational vehicle accidents, Kuhn said.

“Ideally, no one would drink in Wisconsin while they are driving a boat, snowmobile or ATV,” he said. “If that were the case, we would not have a special unit...to do accidents and look for intoxicated operators.” People who boat at night need working lights in proper positions, Kuhn said.

“Boaters do not understand the purpose of the lights,” he said. “They do not understand that the red and green navigation lights in the front of the boat are there, not for you, but for oncoming boat traffic.

“They can see what direction and who has the right of way and who does not have the right of way. Generally speaking, the boat on the right has the right of way.” Boats coming from the right should see a green light and boats coming from the left should see a red light, Kuhn said. White lights indicate a boat is going away or is stopped.

Fishermen trolling at night often do not use the mandatory white light on the stern because with it they cannot see

their boards, Kuhn said.

To them, he replies, “You don’t get to make that choice.

The Legislature and the Coast Guard have made that choice for you.” Instead, Kuhn recommends fishermen use tall white lights.

Boats must have no wake in lakes of less than 50 acres and when 100 feet from shore or from a pier or raft, he said.

No wake is the slowest possible speed at which an operator can control a boat, Kuhn said.

Owners are responsible for any damage the wake from their boat causes, he said.

On most lakes, Kuhn said rafts must be within 100 feet of shore, but do not have to have reflectors.

“I would not mind seeing a reflector on every raft,” he said. “We’ve had plenty of people hit rafts.” If people have additional questions, Kuhn said they may call him at 920-615-6075.