

# **Boating Accidents**

*Article*

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## ***Overview***

The day may start off as a fun day, but a boating accident can result in devastating injuries to those involved. Boating accidents are common in the State of California causing injuries from jet skiing, water skiing, collisions with another vessel, fires or fishing.

The United States Coast Guard says a boating accident occurs when, “A person on a boat dies or becomes injured beyond the help of first aid, or when a person disappears and death or injury is suspected, or when a vessel causes or sustains damage.”

Statistics show that less than 10% of boating accidents are fatal – most are from falls overboard, victims drowning and the boats capsizing. Many victims who drown are not wearing a life jacket.

## ***Accident Causes***

Many of these accidents are caused by operator inexperience or not enough boating safety instruction, carelessness, unsafe speeds, or not paying attention - negligence. In addition, many boat operators consume alcohol while aboard. Alcohol accounts for about one-third of boating fatalities. It is the number one cause of boating accident deaths because of impaired judgment, diminished coordination and susceptibility to hypothermia.

It is illegal to operate a boat while under the influence of alcohol and/or drugs.

Consequences include prison time, fines, community service and mandatory substance abuse programs.

## ***Prevention***

Many boating accidents can be prevented if the individuals aboard:

- wear a life jacket
- dress appropriately – be prepared for the possibility of immersion
- understand that cold weather can be more dangerous since fewer boats and patrols are out
- take appropriate boating safety courses
- be alert for the risk of carbon monoxide poisoning in confined spaces below deck
- never drink alcohol or take drugs while on the water

## ***Filing a boating accident report***

You are required to file an accident report when a person dies or disappears, if a person is

injured and requires medical treatment, when there is \$500 or more damage to the vessel or complete loss of the vessel.

### ***Statute of Limitations***

It is important to contact an experienced Personal Injury attorney to make sure the Statute of Limitations to file a claim does not expire and prevent recovery. California has a two-year Statute of Limitations on personal injury cases, which begins on the date of injury.

The claim must be filed within the two-year period or it will be dismissed.

### ***Conclusion***

The driver of the boat can be held liable for causing the accident if he or she was acting in an irresponsible and unsafe manner. Boating rules require safe operation and if a driver violates these rules, he or she may be liable for any injuries or death that resulted.

If you are a victim of a boating accident that resulted from driver negligence, you may deserve to be compensated for pain and suffering. Contact an experienced Personal Injury Attorney as soon as possible so he or she can investigate the incident for you.