

## BOAT ACCIDENTS

Boating is a great summer activity and an exciting weekend getaway. While boating is fun it can also be very dangerous leading to serious injuries if not operated safely and properly. Even if proper safety precautions are taken accidents can still occur. These accidents can occur on cruise ships, US navy vessels, and maritime workers. The main reason for recreational boating accidents is careless/reckless operation, operator inattention, operator inexperience, passenger behavior, speeding, and alcohol use. These types of accidents are similar to automobile accidents except for insurance requirements. Boats are not required by law to have insurance even though certain types of boats have to have liability insurance. Under Massachusetts and federal law a recreational boat or vessel is considered to be in a boating accident when it results in death, a missing person, personal injury beyond first aid, or property damage over \$500.

### What should you do?

- Write down as many details as you recall
- Take photos for your own record
- Write down personal notes
- The more information gathered the better

### Why do boat accidents occur?

- Negligence of the driver
- Seaworthiness of the boat
- Unpredictability of inclement weather

### Leading causes:

1. Capsizing
2. Inexperience of a boat operator
3. Driving while intoxicated
4. Unsafe fuel practices
5. Ignoring weather conditions

\*Need to prove NEGLIGENCE. Common injuries often include lacerations, broken bones, teeth, falling overboard, and drowning.

According to **M.G.L. c90B**, “A operator of a motorboat involved in an accident must render assistance as practicable to save persons from danger” Further, because boating happens on navigable waters admiralty or maritime law may apply.



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Under **M.G.L. c. 90B §8A** “boating under the influence” can be criminally prosecuted.