

# Lake Murray Boating Accidents and Your Legal Rights

## Knowing the laws and risks may help you avoid a crash

Boating and South Carolina go together like summer and fun; the Midlands' coastal plains are a national destination for boat-lovers.

Interest in boating has grown rapidly here. The state's scalloped Atlantic coastline, a dozen or so huge lakes, and great year-round weather attracts thousands of visitors each year.

There are more people having fun boating on lakes like Monticello Reservoir, Lake Murray, and the Saluda River than ever before — and [more water vessel accidents](#), too.

In just one year, boating accidents shot up by an average of 25 percent nationwide and 8.5 percent in South Carolina.

On Lake Murray, for example, the locals say the 550,000-acre body of water used to attract about 10-12 boats on the weekends. Now, there are hundreds of motorboats, sailboats, pontoons, jet skis, and kayaks on the water on Saturdays and Sundays. One section of the lake has picked up the nickname "malfunction junction" due to the high number of incidents there.

Common boating accident injuries include:

- Amputation
- Broken bones
- Burns
- Hypothermia
- Lacerations
- Scrapes and bruises
- Sprains and strains
- Internal organ damage
- Concussions

Just like if you were in an accident on I-26 or Lexington's Main Street, if you are the victim of an on-the-water accident, you have a right to compensation for your injuries, as well as the right to hire a lawyer who will fight for the full value of your claim.

Before you set sail, it's important to understand the rules, your rights, and how to avoid on-water collisions and other accidents.

## South Carolina boating law

The state does not impose many restrictions on who can operate a boat.

In general, people ages 15 and younger must pass a boat-safety course before they can pilot a motorboat. They must also have adult supervision while cruising or sailing. There is no education requirement for boaters ages 16 and older.

For the most part, the rest of the Palmetto State's boating regulations fit under one rule: When operating a boat, you must take reasonable steps to protect persons and property and you may not operate a water vessel in a negligent or reckless manner.

This means that in South Carolina it is illegal to:

- Weave around personal watercraft
- Cross the path or wake of another boat unnecessarily close
- Tow a person who is not wearing a personal flotation device (like a life jacket) on a waterski, surfboard, tube, or other flotation device
- Allow passengers to swim within 50 feet of a public boat ramp or landing
- Chase, harass or otherwise disturb wildlife
- Anchor your vessel in a way that prevents others from passing the area
- Attach a vessel to a buoy
- Operate a motorized or sailing vessel while you are under the influence of drugs and/or alcohol

Boat operators should also know that they are responsible for any damage caused by their wake.

### **Types of boating accidents**

In a typical year, South Carolina experiences 130-140 boating accidents and about 15 related deaths. Popular boating destinations include Alex Haven Landing on Lake Marion, Lake Wateree, and Lake Murray.

Lake Murray, which is bordered by Lexington, Irmo, and Chapin, among other communities, is a go-to spot for many boating enthusiasts. Fed by Saluda River, the man-made reservoir has more than 500 miles of shoreline, dams, public boat ramps, camping and "bomb island" — a WWII test site and official sanctuary for roosting Purple Martins.

It is also a hotspot for fatal boating accidents. The most common types of boating accidents include:

- Collision with another vessel
- Flooding/swamping
- Grounding
- Collision with a fixed object (like a dock or buoy)
- Falls overboard
- Capsizing

Open motorboats are the most likely type of recreational vessels to be involved in an accident, followed by pontoons.

Many factors often contribute to boating accidents. The most common ones are operator inattention and operator experience. Other factors include speeding, machinery failures, alcohol use, weather conditions, waves, and wakes.

### **What to do if you have been in a boating accident**

No one wants to get into a boating accident, but sometimes they are unavoidable. There are more than 556,000 recreational water vessels registered in South Carolina. The fatal boat crash rate is 4.5 per 100,000 registered vessels.

To reduce your risk of boat collisions, South Carolina's [Coast Guard](#) recommends you:

- Practice good seamanship
- Keep a proper lookout
- Maintain a safe speed

If you have been in a boating accident, South Carolina requires you to:

- Stop your vessel immediately at the scene of the accident
- Assist anyone injured or in danger from the accident (unless doing so would seriously endanger you or other people)
- Give in writing your name address and vessel identification to anyone injured and of the owner of property damaged
- Report accidents resulting in injury, death, or property damage to the South Carolina Department of Natural Resources

These steps will satisfy the state of South Carolina, but if you are the victim in a boating accident, they do not address how you will recover. To do this, most injured people file injury and property damage insurance claims.

To improve your chances of making a successful claim there are some steps you can take after a boating accident, if it is safe to do so.

**Make a timeline.** Write down your recollection of the accident, making sure to record time, location, water and weather conditions, and any actions you can recall leading up to the incident. This will establish a timeline of events that may help you later as details become more difficult to remember.

**Take recordings.** Take video and pictures of the accident and focus on the position of the vessels and any injuries.

**ID witnesses.** Collect names and contact information of witnesses.

**Give short answers.** Keep details to a minimum when talking to anyone about the accident until you have spoken to a lawyer. It is a good idea for you to cooperate and be polite when interacting with investigating police, but that doesn't mean you have to ruin your claim. Immediately after an accident you are in shock and possibly in pain. This is no time to make statements that will determine whether you will receive money for your accident.

**Contact a lawyer.** You have rights after a boating accident. It is important that you understand them before agreeing to a settlement offer or making official statements. A lawyer can help you understand the value of your claim and how the law applies to your specific situation. Most personal injury attorneys offer free case evaluations to accident victims. Their work on your behalf is also unlikely to cost you anything out of pocket because most personal injury lawyers work on a contingency fee basis.

**Know your rights in a boating accident**

If you have been in a boating accident or lost a loved one in a water vessel incident, it is important that you find the right personal injury lawyer to represent your case. Law firms with local roots and a deep understanding of how the insurance industry and South Carolina liability law works are most likely to get you the maximum compensation for your injuries and lost property.

[Johnson + Johnson Attorneys at Law](#) was founded by two brothers who were born and raised in Lexington, South Carolina. Our firm has a deep understanding of how the local justice and insurance systems work.

When you work with Johnson + Johnson you get a legal team that is dedicated to the community. We understand how much is at stake for you after a boating accident. We know that the payout you get for your injuries and other losses will likely have a lifelong impact on your health and the financial stability of your family. And we know first-hand the overall effect a boating accident has on you and your family as our sister was killed by a negligent boat driver on Lake Murray.

You can count on Johnson + Johnson Attorneys at Law to negotiate aggressively on your behalf. We will not accept a too-small settlement.

Contact Johnson + Johnson Attorneys at Law for a [free case evaluation](#). We will help you understand how the law applies to your accident and review your legal options. [Call or email us now](#). A member of our firm is ready to talk about your case today.