

OWNERSHIP, LIABILITY AND RESPONSIBILITY

Ownership of a motorboat brings many responsibilities. There are very specific penalties for violation of the law. Every owner should familiarize himself with them and impress them on every one who operates his boat:

The owner of a vessel shall be liable for any injury occasioned by the negligent operation of the vessel, whether the negligence consists of a violation of the provisions of the statutes of this state, or in the failure to observe such ordinary care in such operation as the rules of common law require. The owner shall not be liable unless the vessel is being used with his expressed or implied consent. It shall be presumed that the vessel is being operated with the knowledge and consent of the owner if it is driven at time of the injury by his or her son or daughter, spouse, father, mother, brother, sister or other immediate member of the owner's family.

A person who, by the operation of any vessel at an immoderate rate of speed or in a careless, reckless, or negligent manner, but not willfully or wantonly, injures so as to cripple or cause death of another is guilty of a misdemeanor, and shall be imprisoned in the state prison for not more than 2 years, or fined not more than \$2,000 or both.

The owner of any vessel operated upon the waters of this state shall be personally responsible for any damage to life or property resulting from a wake or swell created by the negligent operation or propulsion of such vessel, where the vessel is being operated with his consent.

Any person who operates any vessel carelessly and heedlessly, in willful and wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property and thereby injures so as to cripple any person, but not causing death, is guilty of the offense of felonious operation and shall be imprisoned in the state prison for not more than 2 years, or fined not more than \$2,000, or both.

The crime of negligent homicide shall be deemed to be included within every crime of manslaughter charged to have been committed in the operation of any vessel and where a defendant is charged with manslaughter committed in the operation of any vessel, if the jury find the defendant not guilty of the crime of manslaughter, the jury may render a verdict of negligent homicide.