

Tort Tips

for Business Attorneys

from THE CORSON & JOHNSON LAW FIRM

MAY 2011



Welcome!

Welcome to the May Issue of Tort Tips. Because we specialize in personal injury, we frequently encounter cases, statutes, and other legal developments in our field that might not be noticed in yours, but which could affect you and your clients.

If you have any questions or would like more information, please [contact us](#).

Boating Education and Life Jacket Water Safety Laws

Several years ago, after our client died because his whitewater outfitter did not have the equipment or skills to save him, we took this case beyond the courtroom to help get better water safety laws passed. These required outfitters to have better equipment and training to help prevent injuries and drowning deaths.

Still, a dozen Oregon boaters lost their lives in 2010, and 11 of those people were not wearing a life jacket. While water accidents happen for a variety of reasons, in 90 percent or more of the fatalities there was either improper use of life jackets, or no life jacket at all. Appropriately, newer laws focus on life jackets. Under current law, all adult passengers must wear a Coast Guard-approved life jacket in Class III or higher white water. Children 12 years and under must always wear a life jacket when boating.

Recent Cases

\$2.125 Million Premises Liability Trial

The Oregon Court of Appeals recently affirmed the jury verdict in *Matson v. Oregon Arena Corporation*, a Multnomah County case we tried with co-counsel Phil Gilbert. [READ MORE](#)

Confidential Settlement: Medical Negligence

Bend attorney Neil Bryant referred a case to our offices involving the unexpected death of a man following routine back surgery. [READ MORE](#)

Boating Education and Life Jacket Water Safety Laws *(continued)*

In addition, with the boating and water recreation season here again, it's good to keep in mind that Oregon's mandatory boater education requirements are now fully phased in:

- Youth 12 and over operating any size power boat must obtain and carry a boater education card.
- All Oregon residents operating a power boat greater than 10 horsepower must carry a boater education card.
- Children 11 years and under may not operate any power boat.

There are special rules for youths between 12 and 15 years of age, and exceptions to these requirements.