

Duck Boat Captains Should Be Required to Perform Careful Weather Checks Before Leaving Dock; Duck Boat Manufacturers Should Establish Wind and Wave Height Limits



CLIFFORD LAW OFFICES

Article By

[Clifford Law](#)

[Clifford Law Offices](#)

[Clifford Law Offices Blog](#)

- [Personal Injury](#)
- [Products Liability](#)
- [Professional / Malpractice](#)
- [Utilities & Transport](#)

- [All Federal](#)

Saturday, July 21, 2018

As more details emerge from the investigation into the duck boat that sank near Branson, Missouri, Thursday (July 19, 2018), experts are more carefully examining the weather conditions that day and any safety procedures that might have been followed on the amphibious vessel before leaving on its tourist run.

The National Weather Service had issued a severe thunderstorm watch for the Table Rock Lake area from 11:30 a.m. to 9 p.m. Thursday and about a half hour prior to the launch of the tragic duck boat, it issued a severe thunderstorm warning.

A watch means "when conditions are favorable for the development of severe thunderstorms in and close to the watch area," according to the National Weather Service (NWS). A severe thunderstorm warning, on the other hand, means that severe weather is imminent in the area or is already occurring based on human observation or radar.

Robert A. Clifford, founder and senior partner at Clifford Law Offices in Chicago and a personal injury and wrongful death attorney who has handled numerous boat accident cases, said that it is imperative that duck boat Captains exercise prudent seamanship, especially checking all relevant weather forecasts and observations issued by the NWS and otherwise available from local sensors, starting 24 hours prior to departure and continuing periodically through the time of departure. Duck boat manufacturers should establish wind and wave height limits and recommendations for their vehicles and the US Coast Guard should in turn assure that duck boat operators adhere to these limits and recommendations when planning and conducting their operations. "These simple and important limits, recommendations, and operational practices would allow duck boat operators to safely plan and operate their vehicles, and would have prevented this tragedy at Table Rock Lake," Clifford said.

Table Rock Lake in Missouri is considered a federal waterway over which the U.S. Coast Guard has regulatory authority. It has been reported that the duck boat that sank was 33 feet in length and was built in 1944 to deliver cargo from ships to shore during World War II.

Winds reportedly rose to 63 miles per hour on the lake and the waves were reported to be some three feet high when the Ride the Ducks Branson was out on the lake near Branson, Missouri. "Any boat will become unsafe in winds and waves greater than it is capable of handling, and duck boats are no exception," Clifford said.

The National Transportation Safety Board (NTSB) has investigators at the scene that are examining the wreckage, now at the bottom of the lake. Seventeen people were killed and 14 more injured that evening. The Coast Guard also is conducting an investigation with the assistance of the Missouri State Highway Patrol, according to media reports.

Investigators also are looking into the safety of the structure of the boat that has a canopy overhead and if that contributed to the deaths in this incident. The NTSB has warned that this type of roof could greatly increase the risk of passengers becoming trapped in the boat and drown.

Survivors of the sunken boat have told the media that the boat Captain told passengers there was no need to wear life jackets even shortly before the sinking when the winds and waves appeared dangerous, another seamanship, prudence, and safety issue that investigators are examining.

© 2019 by Clifford Law Offices PC. All rights reserved.

Source URL: <https://www.natlawreview.com/article/duck-boat-captains-should-be-required-to-perform-careful-weather-checks-leaving-dock>