

BUI

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Today we consider consumption of alcohol by sailors and boaters. Billy writes from Charleston, "Dear Attorney Cooper, we know that the new boating under the influence or BUI law in South Carolina provides for a rebuttable presumption of intoxication by an operator of a vessel with a blood alcohol content of .01%, much the same as our DUI law governing the operation of a motor vehicle. Is there a counterpart to our state open container law which would apply to an open container of alcohol in a vessel in South Carolina?

Good question, Billy. No, although BUI is a serious and widespread safety concern, South Carolina has no open container law applicable to vessels or operators.

The River Thames winds through the center of London on its way to the English Channel. A chill rain falls freely across the water and across the wharves and across the rusting decks of a merchantman discharging 40 foot containers. Just over the way, it's been a long evening in a tiny pub called the Merry Thames. Inside, the proprietor puts away the shepherd's pie and sweeps up for the night, with only two sailors remaining. The sailors begin to speak?: "Where you from?"

I'm from the other side of the world, a southern seaport in America, a real gem of a city, a charming and dazzling lady called Charleston, strategically located where the Cooper River and the Ashley River and the Wando River all come together to help Shem Creek form the Atlantic Ocean."

Well now, that's what I call a coincidence. I grew up in Charleston, I did.

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Don't start that with me buddy. Where in Charleston did you live, then?

Mt. Pleasant.

You're kiddin. You gotta be kiddin. I lived in Mt. Pleasant, too. What school did you go to?

Wando.

No. Me too. I can't believe it. What street did you live on?

McCants by the grave yard.

Oh, Providence. Can this be? I know that McCants is a long street, but this is too wild for words. What number? What street number?

(telephone rings) Merry Thames it is. Aye. No, he's not here. Aye. No, he's not here either. No. No, the only two left are the Williamson twins and they've been dead drunk since mid-afternoon.

More next week on The Admiralty Docket. Until then remember your rights and responsibilities may change as you approach the shore and may God Almighty grant you pleasant sailing.

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