

retary to prescribe the design, location and dimensions of the tonnage mark to be placed on the vessel. Section 14513 further provides that if spaces are excluded by the Secretary, they shall be comparable to those the Secretary could have excluded in existing law (46 App. U.S.C. 83a). Section 14513(c) provides that if a vessel's tonnage mark is below the uppermost part of the load line mark, each certificate that states the vessel's tonnages must state the gross and net tonnages when the mark is submerged and when it is not submerged.

## REFERENCES IN TEXT

Section 2 of the Act of September 29, 1965, referred to in subsec. (a), was classified to section 83a of the former Appendix to this title and was repealed by Pub. L. 99-509, title V, § 5104(b), Oct. 21, 1986, 100 Stat. 1928.

## AMENDMENTS

2010—Subsec. (c)(1). Pub. L. 111-281, § 303(h)(1), substituted “vessel is assigned two sets of gross and net tonnages under this section,” for “vessel’s tonnage mark is below the uppermost part of the load line marks,” and inserted “vessel’s tonnage” before “mark is submerged”.

Subsec. (c)(2). Pub. L. 111-281, § 303(h)(2), substituted “as assigned under this section.” for period at end.

**§ 14514. Reciprocity for foreign vessels**

For a foreign vessel not measured under chapter 143, if the Secretary finds that the laws and regulations of a foreign country related to measurement of vessels are substantially similar to those of this chapter and the regulations prescribed under this chapter, the Secretary may accept the measurement and certificate of a vessel of that foreign country as complying with this chapter and the regulations prescribed under this chapter.

(Added Pub. L. 111-281, title III, § 303(i), Oct. 15, 2010, 124 Stat. 2925.)

## SUBCHAPTER III—SIMPLIFIED SYSTEM

## HISTORICAL AND REVISION NOTES

This subchapter provides for a simplified regulatory measurement of vessels that are either non-self-propelled, under 79' in length, or operated only for pleasure.

**§ 14521. Application**

This subchapter applies to a vessel described in section 14501 of this title that is not measured under subchapter II of this chapter.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1925.)

## HISTORICAL AND REVISION NOTES

*Revised section 14521*

Source: Section (U.S. Code) 46 App. U.S.C. 71.

Section 14521 provides that vessels that are to be measured under the regulatory measurement system in this chapter, but are not measured under the standard regulatory measurement system in subchapter II, shall be measured under the simplified measurement system.

**§ 14522. Measurement**

(a) In this section, “length” means the horizontal distance of the hull between the foremost part of the stem and the aftermost part of the stern, excluding fittings and attachments.

(b)(1) The Secretary shall assign gross and net tonnages to a vessel based on its length, breadth, depth, other dimensions, and appropriate coefficients.

(2) The Secretary shall prescribe the way dimensions (except length) are measured and which coefficients are appropriate.

(c) The resulting gross tonnages, taken as a group, reasonably shall reflect the relative internal volumes of the vessels measured under this subchapter. The resulting net tonnages shall be in approximately the same ratios to corresponding gross tonnages as are the net and gross tonnages of comparable vessels measured under subchapter II of this chapter.

(d) Under regulations prescribed by the Secretary, the Secretary may determine the gross and net tonnages of a vessel representative of a designated class, model, or type, and then assign those gross and net tonnages to other vessels of the same class, model, or type.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1925.)

## HISTORICAL AND REVISION NOTES

*Revised section 14522*

Source: Section (U.S. Code) 46 App. U.S.C. 71.

Section 14522(a) defines the term “length” as it is used in the simplified measurement system.

Section 14522(b) requires the Secretary to assign gross and net tonnages under the simplified system, based on a vessel's length, breadth, depth, other dimensions and appropriate coefficients, as the Secretary deems appropriate.

Section 14522(c) provides that the gross tonnages as measured under this section shall reflect the relative internal volumes of vessels. It provides further that the net tonnages measured under this section shall be in approximately the same ratio to corresponding gross tonnages as are the net and gross tonnages of comparable vessels measured under the standard regulatory measurement system.

## CHAPTER 147—PENALTIES

Sec.	
14701.	General violation.
14702.	False statements.

## HISTORICAL AND REVISION NOTES

This chapter provides for penalties for violations of Part J—Measurement of Vessels.

**§ 14701. General violation**

The owner, charterer, managing operator, agent, master, and individual in charge of a vessel violating this part or a regulation prescribed under this part are each liable to the United States Government for a civil penalty of not more than \$20,000. Each day of a continuing violation is a separate violation. The vessel also is liable in rem for the penalty.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1925.)

## HISTORICAL AND REVISION NOTES

*Revised section 14701*

Source: Section (U.S. Code) 46 App. U.S.C. 83j.

Section 14701 provides that the owner, charterer, managing operator, agent, master, and individual in charge of a vessel violating Part J—Measurement of Vessels—are each liable to the U.S. Government for a civil penalty of not more than \$20,000. It also provides that the vessel is liable in rem for the penalty and that each day of a continuing violation is a separate violation.

**§ 14702. False statements**

A person knowingly making a false statement or representation in a matter in which a state-

ment or representation is required by this part or a regulation prescribed under this part is liable to the United States Government for a civil penalty of not more than \$20,000 for each false statement or representation. The vessel also is liable in rem for the penalty.

(Pub. L. 99-509, title V, §5101(3), Oct. 21, 1986, 100 Stat. 1925.)

HISTORICAL AND REVISION NOTES

Revised section 14702

Source: Section (U.S. Code) 46 App. U.S.C. 83i. Section 14702 provides that a person knowingly making a false statement or representation in a matter in which a statement or representation is required by this part or a regulation prescribed under this part is liable to the United States Government for a civil penalty of not more than \$20,000 for each false statement or representation. It further provides that the vessel is liable in rem for the penalty. This penalty is increased from \$1,000 in existing law and conforms with the level of similar penalties throughout the subtitle.

Subtitle III—Maritime Liability

Table with 2 columns: Chapter and Sec. listing sections 301 through 313.

AMENDMENTS

2006—Pub. L. 109-304, §6(a), Oct. 6, 2006, 120 Stat. 1509, amended subtitle analysis generally, substituting “General Liability Provisions” for “General” in item for chapter 301, striking out “[Chapters 303-311—Reserved]” after item for chapter 301, adding items for chapters 303, 305, 307, 309, and 311, and striking out “[Chapter 315—Reserved]” after item for chapter 313.

CHAPTER 301—GENERAL LIABILITY PROVISIONS

Table with 2 columns: Sec. and description of sections 30101 through 30106.

PRIOR PROVISIONS

A prior chapter 301, consisting of section 30101, provided definitions for purposes of this subtitle, prior to repeal by Pub. L. 109-304, §6(b), Oct. 6, 2006, 120 Stat. 1509.

§ 30101. Extension of jurisdiction to cases of damage or injury on land

(a) IN GENERAL.—The admiralty and maritime jurisdiction of the United States extends to and includes cases of injury or damage, to person or property, caused by a vessel on navigable waters, even though the injury or damage is done or consummated on land.

(b) PROCEDURE.—A civil action in a case under subsection (a) may be brought in rem or in personam according to the principles of law and the rules of practice applicable in cases where the injury or damage has been done and consummated on navigable waters.

(c) ACTIONS AGAINST UNITED STATES.—

(1) EXCLUSIVE REMEDY.—In a civil action against the United States for injury or damage done or consummated on land by a vessel on navigable waters, chapter 309 or 311 of this title, as appropriate, provides the exclusive remedy.

(2) ADMINISTRATIVE CLAIM.—A civil action described in paragraph (1) may not be brought until the expiration of the 6-month period after the claim has been presented in writing to the agency owning or operating the vessel causing the injury or damage.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1509.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30101, 46 App.:740, June 19, 1948, ch. 526, 62 Stat. 496.

In subsections (b) and (c), the words “civil action” are substituted for “suit” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.).

In subsection (c)(1), the words “for all causes of action arising after June 19, 1948, and for all causes of action where suit has not been hitherto filed under the Federal Tort Claims Act” are omitted as obsolete.

PRIOR PROVISIONS

A prior section 30101, Pub. L. 100-710, title I, §102(c), Nov. 23, 1988, 102 Stat. 4738, provided definitions for purposes of this subtitle, prior to repeal by Pub. L. 109-304, §6(b), Oct. 6, 2006, 120 Stat. 1509.

SHORT TITLE

This section is popularly known as the Admiralty Extension Act.

§ 30102. Liability to passengers

(a) LIABILITY.—The owner and master of a vessel, and the vessel, are liable for personal injury to a passenger or damage to a passenger’s baggage caused by—

(1) a neglect or failure to comply with part B or F of subtitle II of this title; or

(2) a known defect in the steaming apparatus or hull of the vessel.

(b) NOT SUBJECT TO LIMITATION.—A liability imposed under this section is not subject to limitation under chapter 305 of this title.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1509.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30102, 46 App.:491 (words before semicolon), R.S. §4493 (words before semicolon).

In subsection (a), before paragraph (1), the words “or either of them” are omitted as unnecessary. The words “are liable for personal injury to a passenger or damage to a passenger’s baggage” are substituted for “Whenever damage is sustained by any passenger or his baggage” and “shall be liable to each and every person so injured” for clarity and to eliminate unnecessary