

(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

Chapter		Sec.
301.	General Liability Provisions	30101
303.	Death on the High Seas	30301
305.	Exoneration and Limitation of Liability	30501
307.	Liability of Water Carriers	30701
309.	Suits in Admiralty Against the United States	30901
311.	Suits Involving Public Vessels	31101
313.	Commercial Instruments and Maritime Liens	31301

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

Sec.	
30101.	Extension of jurisdiction to cases of damage or injury on land.
30102.	Liability to passengers.
30103.	Liability of master, mate, engineer, and pilot.
30104.	Personal injury to or death of seamen.
30105.	Restriction on recovery by non-citizens and non-resident aliens for incidents in waters of other countries.
30106.	Time limit on bringing maritime action for personal injury or death.

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

words. The words “from explosion, fire, collision, or other cause” are omitted as unnecessary. The words “caused by” are substituted for “if it happens through” to eliminate unnecessary words. In paragraph (1), the words “part B or F of subtitle II of this title” are substituted for “title 52 of the Revised Statutes” because of the prior codification of subtitle II of title 46. In paragraph (2), the word “imperfections” is omitted as included in “defect”.

Subsection (b) is substituted for “to the full amount of damage” for clarity. See Hines v. Butler, 278 F. 877, 880, 881 (4th Cir. 1921), cert. denied, 257 U.S. 659 (1922); The Annie Faxon, 75 F. 312, 317–319 (9th Cir. 1896).

§ 30103. Liability of master, mate, engineer, and pilot

A person may bring a civil action against a master, mate, engineer, or pilot of a vessel, and recover damages, for personal injury or loss caused by the master’s, mate’s, engineer’s, or pilot’s—

(1) negligence or willful misconduct; or

(2) neglect or refusal to obey the laws governing the navigation of vessels.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1510.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30103, 46 App.:491 (words after semicolon), R.S. §4493 (words after semicolon).

Before paragraph (1), the words “bring a civil action” are substituted for “sue” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). In paragraph (1), the word “carelessness” is omitted as included in “negligence”.

§ 30104. Personal injury to or death of seamen

A seaman injured in the course of employment or, if the seaman dies from the injury, the personal representative of the seaman may elect to bring a civil action at law, with the right of trial by jury, against the employer. Laws of the United States regulating recovery for personal injury to, or death of, a railway employee apply to an action under this section.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1510; Pub. L. 110–181, div. C, title XXXV, §3521(a), Jan. 28, 2008, 122 Stat. 596.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30104(a), 46 App.:688(a) (1st sentence), Mar. 4, 1915, ch. 153, §20(a), 38 Stat. 1185; June 5, 1920, ch. 250, §33, 41 Stat. 1007; Pub. L. 97–389, title V, §503(a)(1), Dec. 29, 1982, 96 Stat. 1955. Row 2: 30104(b), 46 App.:688(a) (last sentence).

In subsection (a), the words “A seaman injured in the course of employment or, if the seaman dies from the injury, the personal representative of the seaman” are substituted for “Any seaman who shall suffer personal injury in the course of his employment” and “in case of the death of any seaman as a result of any such personal injury the personal representative” to eliminate unnecessary words. The words “bring a civil action” are substituted for “maintain an action” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “for damages” are omitted as unnecessary. The words “against the employer” are