

§ 10908. Penalty for sending unseaworthy vessel to sea

A person that knowingly sends or attempts to send, or that is a party to sending or attempting to send, a vessel of the United States to sea, in an unseaworthy state that is likely to endanger the life of an individual, shall be fined not more than \$1,000, imprisoned for not more than 5 years, or both.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 577.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 10908, 46:658

Section 10908 provides a penalty for a person knowingly sending or attempting to send an unseaworthy vessel to sea.

CHAPTER 111—PROTECTION AND RELIEF

Sec.

- 11101. Accommodations for seamen.
11102. Medicine chests.
11103. Slop chests.
11104. Destitute seamen.
11105. Wages on discharge when vessel sold.
11106. Wages on justifiable complaint of seamen.
11107. Unlawful engagements void.
11108. Taxes.
11109. Attachment of wages.
11110. Seamen's clothing.
11111. Limit on amount recoverable on voyage.
11112. Master's lien for wages.
11113. Treatment of abandoned seafarers.

Editorial Notes

AMENDMENTS

- 2014—Pub. L. 113-281, title III, §320(b), Dec. 18, 2014, 128 Stat. 3054, added item 11113.
1986—Pub. L. 99-307, §1(19)(A), May 19, 1986, 100 Stat. 446, added item 11112.

§ 11101. Accommodations for seamen

(a) On a merchant vessel of the United States the construction of which began after March 4, 1915 (except a yacht, pilot vessel, or vessel of less than 100 gross tons as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title)—

- (1) each place appropriated to the crew of the vessel shall have a space of at least 120 cubic feet and at least 16 square feet, measured on the floor or deck of that place, for each seaman or apprentice lodged in the vessel;
(2) each seaman shall have a separate berth and not more than one berth shall be placed one above another;
(3) the place or berth shall be securely constructed, properly lighted, drained, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvia of cargo or bilge water; and
(4) crew space shall be kept free from goods or stores that are not the personal property of the crew occupying the place in use during the voyage.

(b) In addition to the requirements of subsection (a) of this section, a merchant vessel of the United States that in the ordinary course of trade makes a voyage of more than 3 days' duration between ports and carries a crew of at least 12 seamen shall have a hospital compartment, suitably separated from other spaces. The compartment shall have at least one bunk for each 12 seamen constituting the crew (but not more than 6 bunks may be required).

(c) A steam vessel of the United States operating on the Mississippi River or its tributaries shall provide, under the direction and approval of the Secretary, an appropriate place for the crew that shall conform to the requirements of this section, as far as they apply to the steam vessel, by providing a properly heated sleeping room in the engineroom of the steam vessel properly protected from the cold, wind, and rain by means of suitable awnings or screens on either side of the guards or sides and forward, reaching from the boiler deck to the lower or main deck.

(d) A merchant vessel of the United States, the construction of which began after March 4, 1915, having more than 10 seamen on deck, shall have at least one lighted, clean, and properly heated and ventilated washing place. There shall be provided at least one washing outfit for each 2 seamen of the watch. A separate washing place shall be provided for the fireroom and engineroom seamen, if their number is more than 10, that shall be large enough to accommodate at least one-sixth of them at the same time, and have a hot and cold water supply and a sufficient number of washbasins, sinks, and shower baths.

(e) Forecastsles shall be fumigated at intervals provided by regulations prescribed by the Secretary of Health and Human Services, with the approval of the Secretary, and shall have at least 2 exits, one of which may be used in emergencies.

(f) The owner, charterer, managing operator, agent, master, or licensed individual of a vessel not complying with this section is liable to the United States Government for a civil penalty of at least \$50 but not more than \$500.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 577; Pub. L. 99-36, §1(a)(6), May 15, 1985, 99 Stat. 67; Pub. L. 104-324, title VII, §740, Oct. 19, 1996, 110 Stat. 3942.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 11101, 46:660-1

Section 11101 provides mandatory standards for crew accommodations and a penalty for noncompliance with those standards.

Editorial Notes

AMENDMENTS

- 1996—Subsec. (a). Pub. L. 104-324 inserted "as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title" after "100 gross tons" in introductory provisions.
1985—Subsec. (d). Pub. L. 99-36 substituted "lighted" for "light".