

(Added Pub. L. 115-282, title VI, §601(a), Dec. 4, 2018, 132 Stat. 4286; amended Pub. L. 116-283, div. G, title LVXXXIII [LXXXIII], §§8331(b), 8335(a)(2), title LVXXXV [LXXXV], §8505(b)(14), Jan. 1, 2021, 134 Stat. 4703, 4707, 4752.)

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, §8331(b), inserted “or to which this chapter applies” after “committee established under this chapter” wherever appearing. The phrase “committee established under this chapter” in subsec. (k) was added subsequent to this amendment, and therefore the inserted phrase does not appear there. See subsec. (k) Amendment note below.

Subsec. (a). Pub. L. 116-283, §8335(a)(2)(A), designated existing provisions as par. (1), inserted heading, substituted “Except as provided in paragraph (2), each” for “Each”, and added par. (2).

Subsec. (f)(8). Pub. L. 116-283, §8335(a)(2)(B), designated existing provisions as subpar. (A), inserted heading, and added subpar. (B).

Subsec. (i)(2). Pub. L. 116-283, §8505(b)(14), substituted “additional individuals” for “additional persons”.

Subsec. (j)(3)(D). Pub. L. 116-283, §8335(a)(2)(C), added subpar. (D).

Subsec. (k). Pub. L. 116-283, §8335(a)(2)(D), amended subsec. (k) generally. Prior to amendment, text read as follows: “Any Federal agency with matters under such agency’s administrative jurisdiction related to the function of a committee established under this chapter or to which this chapter applies may designate a representative to—

- “(1) attend any meeting of such committee; and
“(2) participate as an observer at meetings of such committee that relate to such a matter.”

Subsec. (l). Pub. L. 116-283, §8335(a)(2)(G), added subsec. (l). Former subsec. (l) redesignated (m).

Pub. L. 116-283, §8335(a)(2)(E), substituted “2029” for “2027”.

Subsec. (m). Pub. L. 116-283, §8335(a)(2)(F), redesignated subsec. (l) as (m).

Subsec. (n). Pub. L. 116-283, §8335(a)(2)(H), added subsec. (n).

Subtitle III—Maritime Liability

Table with 2 columns: Chapter and 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

Editorial Notes

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

Table with 2 columns: Sec. and Description
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.

Editorial Notes

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)
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.

Editorial Notes

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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.
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 added for clarity. The words “Laws of the United States regulating recovery for personal injury to, or death of, a railway employee” are substituted for “all statutes of the United States modifying or extending the common-law right or remedy in cases of personal injury to railway employees” and “all statutes of the United States conferring or regulating the right of action for death in the case of railway employees” to eliminate unnecessary words.

In subsection (b), the words “An action under this section shall be brought” are substituted for “Jurisdiction in such actions shall be under” because 46 App. U.S.C. 688(a) (last sentence) provides for venue, not jurisdiction. *Panama R.R. Co. v. Johnson*, 264 U.S. 375 (1924). As to the relationship between 46 App. U.S.C. 688(a) (last sentence) and 28 U.S.C. 1391(c), see *Pure Oil Co. v. Suarez*, 384 U.S. 202 (1966).

**Editorial Notes**

AMENDMENTS

2008—Pub. L. 110–181 struck out subsec. (a) designation and heading before “A seaman injured” and struck out heading and text of subsec. (b). Text read as follows: “An action under this section shall be brought in the judicial district in which the employer resides or the employer’s principal office is located.”

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110–181, div. C, title XXXV, §3521(b), Jan. 28, 2008, 122 Stat. 596, provided that: “The amendment made by subsection (a) [amending this section] shall be effective as if included in the enactment of Public Law 109–304.”

**§ 30105. Restriction on recovery by non-citizens and non-resident aliens for incidents in waters of other countries**

(a) DEFINITION.—In this section, the term “continental shelf” has the meaning given that term in article I of the 1958 Convention on the Continental Shelf.

(b) RESTRICTION.—Except as provided in subsection (c), a civil action for maintenance and cure or for damages for personal injury or death may not be brought under a maritime law of the United States if—