

§ 30308. Nonapplication

(a) STATE LAW.—This chapter does not affect the law of a State regulating the right to recover for death.

(b) INTERNAL WATERS.—This chapter does not apply to the Great Lakes or waters within the territorial limits of a State.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1512.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30308, 46 App.:767, Mar. 30, 1920, ch. 111, §7, 41 Stat. 538.

In subsection (a), the words “law of a State” are substituted for “any State statute” for consistency in the revised title. The words “regulating the right to recover for death” are substituted for “giving or regulating rights of action or remedies for death” to eliminate unnecessary words.

In subsection (b), the words “or to any navigable waters in the Panama Canal Zone” are omitted because the Panama Canal Zone was transferred to the Republic of Panama.

CHAPTER 305—EXONERATION AND LIMITATION OF LIABILITY

- Sec. 30501. Definition. 30502. Application. 30503. Declaration of nature and value of goods. 30504. Loss by fire. 30505. General limit of liability. 30506. Limit of liability for personal injury or death. 30507. Apportionment of losses. 30508. Provisions requiring notice of claim or limiting time for bringing action. 30509. Provisions limiting liability for personal injury or death. 30510. Vicarious liability for medical malpractice with regard to crew. 30511. Action by owner for limitation. 30512. Liability as master, officer, or seaman not affected.

§ 30501. Definition

In this chapter, the term “owner” includes a charterer that mans, supplies, and navigates a vessel at the charterer’s own expense or by the charterer’s own procurement.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1512.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30501, 46 App.:186, R.S. §4286.

The words “In this chapter” are substituted for “within the meaning of the provisions of title 48 of the Revised Statutes relating to the limitation of the liability of the owners of vessels” because of the codification of title 46, United States Code. The word “supplies” is substituted for “victual” for clarity. The words “and such vessel, when so chartered, shall be liable in the same manner as if navigated by the owner thereof” are omitted as unnecessary.

§ 30502. Application

Except as otherwise provided, this chapter (except section 30503) applies to seagoing vessels and vessels used on lakes or rivers or in inland

navigation, including canal boats, barges, and lighters.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1512.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30502, 46 App.:188, R.S. §4289; Feb. 18, 1875, ch. 80, §1 (related to R.S. §4289), 18 Stat. 320; June 19, 1886, ch. 421, §4, 24 Stat. 80; June 5, 1936, ch. 521, §4, 49 Stat. 1481.

§ 30503. Declaration of nature and value of goods

(a) IN GENERAL.—If a shipper of an item named in subsection (b), contained in a parcel, package, or trunk, loads the item as freight or baggage on a vessel, without at the time of loading giving to the person receiving the item a written notice of the true character and value of the item and having that information entered on the bill of lading, the owner and master of the vessel are not liable as carriers. The owner and master are not liable beyond the value entered on the bill of lading.

(b) ITEMS.—The items referred to in subsection (a) are precious metals, gold or silver plated articles, precious stones, jewelry, trinkets, watches, clocks, glass, china, coins, bills, securities, printings, engravings, pictures, stamps, maps, papers, silks, furs, lace, and similar items of high value and small size.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1512.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30503, 46 App.:181, R.S. §4281.

In subsection (a), the words “load” and “loading” are substituted for “lade” and “lading” to use more common terminology. The words “person receiving the item” are substituted for “master, clerk, agent, or owner of such vessel receiving the same” to eliminate unnecessary words. The words “thereof in any form or manner” and “and according to the character thereof so notified and” are omitted as unnecessary.

In subsection (b), the words “precious metals” are substituted for “platina, gold, gold dust, silver, . . . or other precious metals, . . . gold or silver in a manufactured or unmanufactured state”, the words “precious stones” are substituted for “diamonds, or other precious stones”, the words “watches, clocks” are substituted for “watches, clocks, or timepieces of any description”, the words “coins, bills, securities” are substituted for “bullion, . . . coins, . . . bills of any bank or public body, . . . orders, notes, or securities for the payment of money”, the word “papers” is substituted for “writings, title deeds”, and the word “silks” is substituted for “silks in a manufactured or unmanufactured state, and whether wrought up or not wrought up with any other material”, to eliminate unnecessary words. The words “and similar items of high value and small size” are added to ensure that any of the items specifically named in the source but omitted in the revised section, or similar items, will be covered by this section.

§ 30504. Loss by fire

The owner of a vessel is not liable for loss or damage to merchandise on the vessel caused by a fire on the vessel unless the fire resulted from the design or neglect of the owner.