

prescribed under this chapter liable in rem to the United States Government for a civil penalty of \$200 for each seaman carried in violation.

prescribed by the Secretary under section 14104 of this title” after “50 gross tons”.

Editorial Notes

AMENDMENTS

1993—Pub. L. 103-206 amended heading and text of section generally. Prior to amendment, text read as follows: “The owner, charterer, managing operator, agent, or master of a vessel on which a seaman is carried in violation of this chapter or a regulation prescribed under this chapter is liable to the United States Government for a civil penalty of \$200 for each seaman carried in violation. The vessel also is liable in rem for the penalty.”

§ 10502. Shipping articles agreements

(a) The owner, charterer, managing operator, master, or individual in charge shall make a shipping agreement in writing with each seaman before the seaman commences employment.

(b) The agreement shall include the date and hour on which the seaman must be on board to begin the voyage.

(c) The agreement may not contain a provision on the allotment of wages or a scale of provisions.

(d) Each shipping agreement must be signed by the master or individual in charge or a representative of the owner, charterer, or managing operator, and by each seaman employed.

(e) The owner, charterer, managing operator, master, or individual in charge shall maintain the shipping agreement and make the shipping agreement available to the seaman.

(f) The Secretary shall prescribe regulations requiring shipping companies to maintain records of seamen on matters of engagement, discharge, and service. The shipping companies shall make these records available to the seaman and the Coast Guard on request.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 570; Pub. L. 103-206, title IV, §413, Dec. 20, 1993, 107 Stat. 2437.)

CHAPTER 105—COASTWISE VOYAGES

Sec.

- 10501. Application.
- 10502. Shipping articles agreements.
- 10503. Exhibiting merchant mariners' documents.
- 10504. Wages.
- 10505. Advances.
- 10506. Trusts.
- [10507. Repealed.]
- 10508. General penalties.
- 10509. Penalty for failing to begin voyage.

Editorial Notes

AMENDMENTS

1993—Pub. L. 103-206, title IV, §415(b), Dec. 20, 1993, 107 Stat. 2438, struck out item 10507 “Duties of shipping commissioners”.

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10502	46:574

Section 10502 requires the master on a vessel engaged on a coastwise voyage to sign a shipping agreement with each member of the crew and lists provisions which must be and provisions which may not be included in the agreement.

§ 10501. Application

(a) Except for a vessel to which chapter 103 of this title applies, this chapter applies to a vessel of at least 50 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 on a voyage between a port in one State and a port in another State (except an adjoining State).

(b) This chapter does not apply to a vessel on which the seamen are entitled by custom or agreement to share in the profit or result of a voyage.

(c) Unless otherwise provided, this chapter does not apply to a foreign vessel.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 570; Pub. L. 104-324, title VII, §738, Oct. 19, 1996, 110 Stat. 3941.)

Editorial Notes

AMENDMENTS

1993—Subsec. (a). Pub. L. 103-206, §413(1), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “Before proceeding on a voyage, the master of a vessel to which this chapter applies shall make a shipping articles agreement in writing with each seaman on board, declaring the nature of the voyage or the period of time for which the seaman is engaged.”

Subsecs. (d) to (f). Pub. L. 103-206, §413(2), added subsecs. (d) to (f).

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10501	46:574

Section 10501 specifies that vessels over 50 gross tons that are not subject to chapter 103 and are engaged on voyages between two states (except for adjoining states) are subject to the provisions of this chapter. Specifically excluded are foreign vessels and vessels on which seamen share the profits.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

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

§ 10503. Exhibiting merchant mariners' documents

Before signing the agreement required by section 10502 of this title, a seaman required by sec-