

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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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) **IN GENERAL.**—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.

(b) **LIMITATION ON RECOVERY BY AQUACULTURE WORKERS.**—

(1) **IN GENERAL.**—For purposes of subsection (a), the term “seaman” does not include an individual who—

(A) is an aquaculture worker if State workers’ compensation is available to such individual; and

(B) was, at the time of injury, engaged in aquaculture in a place where such individual had lawful access.

(2) **AQUACULTURE WORKER DEFINED.**—In this subsection, the term “aquaculture worker” means an individual who—

(A) is employed by a commercial enterprise that is involved in the controlled cultivation and harvest of aquatic plants and animals, including—

- (i) the cleaning, processing, or canning of fish and fish products;
- (ii) the cultivation and harvesting of shellfish; and
- (iii) the controlled growing and harvesting of other aquatic species;

(B) does not hold a license issued under section 7101(c); and

(C) is not required to hold a merchant mariner credential under part F of subtitle II.

(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; Pub. L. 117–263, div. K, title CXV, §11520(a), Dec. 23, 2022, 136 Stat. 4142.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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