

United States based on the foreign cause of action, without abatement of the amount for which recovery is authorized.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1511.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30306	46 App.:764.	Mar. 30, 1920, ch. 111, §4, 41 Stat. 537.

The words “a civil action in admiralty may be brought in a court of the United States based on the foreign cause of action” are substituted for “such right may be maintained in an appropriate action in admiralty in the courts of the United States” for clarity and consistency. The words “any statute of the United States to the contrary notwithstanding” are omitted as unnecessary.

§ 30307. Commercial aviation accidents

(a) DEFINITION.—In this section, the term “nonpecuniary damages” means damages for loss of care, comfort, and companionship.

(b) BEYOND 12 NAUTICAL MILES.—In an action under this chapter, if the death resulted from a commercial aviation accident occurring on the high seas beyond 12 nautical miles from the shore of the United States, additional compensation is recoverable for nonpecuniary damages, but punitive damages are not recoverable.

(c) WITHIN 12 NAUTICAL MILES.—This chapter does not apply if the death resulted from a commercial aviation accident occurring on the high seas 12 nautical miles or less from the shore of the United States.

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

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30307(a)	46 App.:762(b)(2).	Mar. 30, 1920, ch. 111, §§1(b), 2(b); as added Pub. L. 106–181, title IV, §404(a)(2), (b)(2), Apr. 5, 2000, 114 Stat. 131.
30307(b)	46 App.:762(b)(1).	
30307(c)	46 App.:761(b).	

In subsections (b) and (c), the words “the United States” are substituted for “any State, or the District of Columbia, or the Territories or dependencies of the United States” because of the definition of “United States” in chapter 1 of the revised title.

In subsection (b), the words “of a decedent” are omitted as unnecessary.

In subsection (c), the words “if the death resulted from a commercial aviation accident occurring on the high seas” are substituted for “In the case of a commercial aviation accident, whenever the death of a person shall be caused by wrongful act, neglect, or default occurring on the high seas” for consistency with subsection (b) and to eliminate unnecessary words. The words “and the rules applicable under Federal, State, and other appropriate law shall apply” are omitted as unnecessary.

§ 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

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

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Editorial Notes

AMENDMENTS

2022—Pub. L. 117–263, div. K, title CXV, §11503(e), Dec. 23, 2022, 136 Stat. 4131, inserted subchapter headings, added item 30501 and struck out former item 30501 “Definition”, and renumbered items 30503 to 30512 as 30521 to 30530, respectively.

SUBCHAPTER I—GENERAL PROVISIONS

§ 30501. Definitions

In this chapter:

(1) COVERED SMALL PASSENGER VESSEL.—The term “covered small passenger vessel”—

(A) means a small passenger vessel, as defined in section 2101, that is—

(i) not a wing-in-ground craft; and

(ii) carrying—

(I) not more than 49 passengers on an overnight domestic voyage; and

(II) not more than 150 passengers on any voyage that is not an overnight domestic voyage; and

(B) includes any wooden vessel constructed prior to March 11, 1996, carrying at least 1 passenger for hire.

(2) OWNER.—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.