

removal of an abandoned barge under this chapter.

(b) The owner or operator of an abandoned barge is liable, and an abandoned barge is liable in rem, for all expenses that the United States incurs in removing an abandoned barge under this chapter.

(c)(1) The Secretary may, after providing notice under subsection (a)(1), solicit by public advertisement sealed bids for the removal of an abandoned barge.

(2) After solicitation under paragraph (1) the Secretary may award a contract. The contract—

(A) may be subject to the condition that the barge and all property on the barge is the property of the barge removal contractor; and

(B) must require the barge removal contractor to submit to the Secretary a plan for the removal.

(3) Removal of an abandoned barge may begin thirty days after the Secretary completes the procedures under subsection (a)(1).

(Added Pub. L. 102-587, title V, §5302, Nov. 4, 1992, 106 Stat. 5082.)

#### § 4705. Liability of barge removal contractors

(a) A barge removal contractor and its subcontractor are not liable for damages that result from actions taken or omitted to be taken in the course of removing a barge under this chapter.

(b) Subsection (a) does not apply—

(1) with respect to personal injury or wrongful death; or

(2) if the contractor or subcontractor is grossly negligent or engages in willful misconduct.

(Added Pub. L. 102-587, title V, §5302, Nov. 4, 1992, 106 Stat. 5083; amended Pub. L. 109-304, §15(19), Oct. 6, 2006, 120 Stat. 1703.)

#### Editorial Notes

##### AMENDMENTS

2006—Pub. L. 109-304 in subsec. (a) struck out par. (1) designation before “A barge removal” and substituted “subcontractor are not” for “subcontractor not”, redesignated par. (2) as subsec. (b) and subpars. (A) and (B) of former par. (2) as pars. (1) and (2) of subsec. (b), respectively, and substituted “Subsection (a)” for “Paragraph (1)”.

#### CHAPTER 49—OCEANGOING NON-PASSENGER COMMERCIAL VESSELS

Sec.

4901. Surveillance requirements.

#### § 4901. Surveillance requirements

(a) IN GENERAL.—A vessel engaged in commercial service that does not carry passengers, shall maintain a video surveillance system.

(b) APPLICABILITY.—The requirements in this section shall apply to—

(1) documented vessels with overnight accommodations for at least 10 individuals on board that are—

(A) on a voyage of at least 600 miles and crosses seaward of the Boundary Line; or

(B) at least 24 meters (79 feet) in overall length and required to have a load line under chapter 51;

(2) documented vessels of at least 500 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104 on an international voyage; and

(3) vessels with overnight accommodations for at least 10 individuals on board that are operating for no less than 72 hours on waters superjacent to the outer Continental Shelf (as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)).<sup>1</sup>

(c) PLACEMENT OF VIDEO AND AUDIO SURVEILLANCE EQUIPMENT.—

(1) IN GENERAL.—The owner of a vessel to which this section applies shall install video and audio surveillance equipment aboard the vessel not later than 2 years after enactment of the Don Young Coast Guard Authorization Act of 2022, or during the next scheduled drydock, whichever is later.

(2) LOCATIONS.—Video and audio surveillance equipment shall be placed in passageways on to which doors from staterooms open. Such equipment shall be placed in a manner ensuring the visibility of every door in each such passageway.

(d) NOTICE OF VIDEO AND AUDIO SURVEILLANCE.—The owner of a vessel to which this section applies shall provide clear and conspicuous signs on board the vessel notifying the crew of the presence of video and audio surveillance equipment.

(e) ACCESS TO VIDEO AND AUDIO RECORDS.—The owner of a vessel to which this section applies shall ensure that access to records of video and audio surveillance is not used as part of a labor action against a crew member or employment dispute unless used in a criminal or civil action.

(f) RETENTION REQUIREMENTS.—The owner of a vessel to which this section applies shall retain all records of audio and video surveillance for not less than 1 year after the footage is obtained. Any video and audio surveillance found to be associated with an alleged incident should be preserved for not less than 5 years from the date of the alleged incident.

(g) PERSONNEL TRAINING.—A vessel owner or employer of a seafarer shall provide training for all individuals employed by the owner or employer for the purpose of responding to incidents of sexual assault or sexual harassment, including—

(1) such training to ensure the individuals—

(A) retain audio and visual records and other evidence objectively; and

(B) act impartially without influence from the company or others; and

(2) training on applicable Federal, State, Tribal, and local laws and regulations regarding sexual assault and sexual harassment investigations and reporting requirements.

(g) DEFINITION OF OWNER.—In this section, the term “owner” means the owner, charterer, managing operator, master, or other individual in charge of a vessel.

(h) EXEMPTION.—Fishing vessels, fish processing vessels, and fish tender vessels are exempt from this section.

<sup>1</sup> So in original. Another closing parenthesis probably should precede the period.