HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
10905	46:656 46:657

Section 10905 provides that if a complaint of unfitness is made in a foreign port, a consular officer shall perform the duties of a judge or justice of the peace.

§ 10906. Discharge of crew for unsuitability

When a survey is made at a foreign port, the surveyors shall state in the report whether, in their opinion, the vessel had been sent to sea unsuitably provided in any important particular, by neglect or design or through mistake or accident. If by neglect or design, and the consular officer approves the finding, the officer shall discharge a seaman requesting discharge and shall require the master to pay one month's wages to that seaman in addition to wages then due, or sufficient money for the return of the seaman to the nearest and most convenient port of the United States, whichever is the greater amount.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 576.)

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
10906	46:658

Section 10906 provides that if a consular officer finds that a vessel has been sent to sea in an unsuitable state, a crew member requesting discharge must be paid one month's additional wages and passage to the United States.

§ 10907. Permission to make complaint

(a) A master may not refuse to permit, deny the opportunity to, or hinder a seaman who wishes to make a complaint authorized by this chapter.

(b) A master violating this section is liable to the United States Government for civil penalty of $500.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 577.)

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
10907	46:653 46:664

Section 10907 prohibits a master from hindering a seaman from making a complaint authorized by this chapter and subjects the master to a fine for violation of this section.

§ 10908. Penalty for sending unseaworthy vessel to sea

A person that knowingly sends or attempts to send, or that is a party to sending or attempting to send, a vessel of the United States to sea, in an unseaworthy state that is likely to endanger the life of an individual, shall be fined not more than $1,000, imprisoned for not more than 5 years, or both.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 577.)

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
10908	46:658

Section 10908 provides a penalty for a person knowingly sending or attempting to send an unseaworthy vessel to sea.

CHAPTER 111—PROTECTION AND RELIEF

Sec.
11101. Accommodations for seamen.
11102. Medicine chests.
11103. Slop chests.
11104. Destitute seamen.
11105. Wages on discharge when vessel sold.
11106. Wages on justifiable complaint of seamen.
11107. Unlawful engagements void.
11108. Taxes.
11109. Attachment of wages.
11110. Seamen's clothing.
11111. Limit on amount recoverable on voyage.
11112. Master's lien for wages.

AMENDMENTS

1986—Pub. L. 99–307, §1(19)(A), May 19, 1986, 100 Stat. 446, added item 11112.

§ 11101. Accommodations for seamen

(a) On a merchant vessel of the United States the construction of which began after March 4, 1915 (except a yacht, pilot vessel, or vessel of less than 100 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)—

(1) each place appropriated to the crew of the vessel shall have a space of at least 120 cubic feet and at least 16 square feet, measured on the floor or deck of that place, for each seaman or apprentice lodged in the vessel;

(2) each seaman shall have a separate berth and not more than one berth shall be placed one above another;

(3) the place or berth shall be securely constructed, properly lighted, drained, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvium of cargo or bilge water; and

(4) crew space shall be kept free from goods or stores that are not the personal property of the crew occupying the place in use during the voyage.

(b) In addition to the requirements of subsection (a) of this section, a merchant vessel of the United States that in the ordinary course of trade makes a voyage of more than 3 days' duration between ports and carries a crew of at least 12 seamen shall have a hospital compartment, suitably separated from other spaces. The compartment shall have at least one bunk for each 12 seamen constituting the crew (but not more than 6 bunks may be required).

(c) A steam vessel of the United States operating on the Mississippi River or its tributaries shall provide, under the direction and approval of the Secretary, an appropriate place for the crew that shall conform to the requirements of this section, as far as they apply to the steam vessel, by providing a properly heated sleeping room in the engineroom of the steam vessel properly protected from the cold, wind, and rain by means of suitable awnings or screens on either side of the guards or sides and forward,