HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30510	46 App.:183(g).	R.S. § 4283(g); Pub. L. 104–324, § 1129(a), Oct. 19, 1996, 110 Stat. 3984.

The words ''civil action'' are substituted for ''suit'' for consistency in the revised title. The words ''is entitled to rely on any statutory'' are substituted for ''shall be entitled to rely upon any and all statutory'' to eliminate unnecessary words.

§ 30511. Action by owner for limitation

(a) IN GENERAL.—The owner of a vessel may bring a civil action in a district court of the United States for limitation of liability under this chapter. The action must be brought within 6 months after a claimant gives the owner written notice of a claim.

(b) CREATION OF FUND.—When the action is brought, the owner (at the owner's option) shall—

(1) deposit with the court, for the benefit of claimants—

(A) an amount equal to the value of the owner's interest in the vessel and pending freight, or approved security; and

(B) an amount, or approved security, that the court may fix from time to time as necessary to carry out this chapter; or

(2) transfer to a trustee appointed by the court, for the benefit of claimants—

(A) the owner's interest in the vessel and pending freight; and

(B) an amount, or approved security, that the court may fix from time to time as necessary to carry out this chapter.

(c) CESSATION OF OTHER ACTIONS.—When an action has been brought under this section and the owner has complied with subsection (b), all claims and proceedings against the owner related to the matter in question shall cease.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1515.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30511	46 App.:185.	R.S. § 4285; June 5, 1936, ch. 521, § 3, 49 Stat. 1480.

In subsection (a), the words ''bring a civil action . . . in a district court of the United States'' are substituted for ''petition a district court of the United States'' for consistency in the revised title and with other titles of the United States Code. See rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words ''of competent jurisdiction'' are omitted as unnecessary.

In subsection (b), the word ''pending'' before ''freight'' is added for consistency in the chapter. The words ''to carry out this chapter'' are substituted for ''to carry out the provisions of section 183 of this Appendix'' because of the reorganization of the source provisions.

§ 30512. Liability as master, officer, or seaman not affected

This chapter does not affect the liability of an individual as a master, officer, or seaman, even though the individual is also an owner of the vessel.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1516.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30512	46 App.:187.	R.S. § 4287.

This section is substituted for the source provision for consistency with the restatement of 46 App. U.S.C. 183(a) and 189 in section 30505 and to eliminate unnecessary words. The reference in the source to particular sections is extended to include the entire chapter to simplify the reference and to conform to the obvious original policy and intent of the source provision.

CHAPTER 307—LIABILITY OF WATER CARRIERS

Sec.
30701. Definition.
30702. Application.
30703. Bills of lading.
30704. Loading, stowage, custody, care, and delivery.
30705. Seaworthiness.
30706. Defenses.
30707. Criminal penalty.

§ 30701. Definition

In this chapter, the term ''carrier'' means the owner, manager, charterer, agent, or master of a vessel.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1516.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30701	(no source).	

This chapter codifies the Act of February 13, 1893 (ch. 105, 27 Stat. 445) (commonly known as the Harter Act). Changes are made to simplify, clarify, and modernize the language and style, but the intent is that these changes should not result in changes in substance.

A definition of ''carrier'' is added based on language appearing in various provisions of the Harter Act. The definition avoids the need to repeat in various sections of this chapter the list of persons to whom the requirements and restrictions of this chapter apply, and it ensures that the list of persons is consistent in the chapter.

CARRIAGE OF GOODS BY SEA ACT

Act Apr. 16, 1936, ch. 229, 49 Stat. 1207, as amended by Pub. L. 97–31, § 12(146), Aug. 6, 1981, 95 Stat. 166, provided:

''That every bill of lading or similar document of title which is evidence of a contract for the carriage of goods by sea to or from ports of the United States, in foreign trade, shall have effect subject to the provisions of this Act.

''TITLE I

''SECTION 1. When used in this Act—

''(a) The term 'carrier' includes the owner or the charterer who enters into a contract of carriage with a shipper.

''(b) The term 'contract of carriage' applies only to contracts of carriage covered by a bill of lading or any similar document of title, insofar as such document relates to the carriage of goods by sea, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same.

''(c) The term 'goods' includes goods, wares, merchandise, and articles of every kind whatsoever, except live