HISTORICAL AND REVISION NOTES

| Revised section | Source section (U.S. Code) |
|---|---|
| 10319 | 46:707 |

Section 10319 provides that if a seaman was convicted during a voyage by a tribunal, that the court may direct that up to $15 of the seaman's wages be used to reimburse the master for the costs incurred.

### § 10320. Records of seamen

The Secretary shall prescribe regulations requiring vessel owners to maintain records of seamen on matters of engagement, discharge, and service. A vessel owner shall make these records available to the seaman and the Coast Guard on request.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 569; Pub. L. 103–206, title IV, § 411, Dec. 20, 1993, 107 Stat. 2437.)

HISTORICAL AND REVISION NOTES

| Revised section | Source section (U.S. Code) |
|---|---|
| 10320 | |

Section 10320 authorizes the Secretary to provide for the maintenance of records of the engagement, discharge, or service of seamen.

AMENDMENTS

1993—Pub. L. 103–206 amended heading and text of section generally. Prior to amendment, text read as follows: ''The Secretary may prescribe regulations for reporting by a master of matters about the engagement, discharge, or service of seamen that may be needed in keeping central records of seamen.''

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

### § 10321. General penalty

(a) A person violating any provision of this chapter or a regulation prescribed under this chapter is liable to the United States Government for a civil penalty of not more than $5,000.

(b) The vessel is liable in rem for any penalty assessed under this section.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 569; Pub. L. 103–206, title IV, § 412, Dec. 20, 1993, 107 Stat. 2437.)

HISTORICAL AND REVISION NOTES

| Revised section | Source section (U.S. Code) |
|---|---|
| 10321 | 46:567<br>46:568<br>46:571<br>46:661<br>46:665 |

Section 10321 makes a vessel on which a seaman is carried to sea in violation of this chapter or regulation prescribed under this chapter liable in rem to the United States Government for a civil penalty of $200 for each seaman carried in violation.

AMENDMENTS

1993—Pub. L. 103–206 amended heading and text of section generally. Prior to amendment, text read as follows: ''The owner, charterer, managing operator, agent, or master of a vessel on which a seaman is carried in violation of this chapter or a regulation prescribed under this chapter is liable to the United States Government for a civil penalty of $200 for each seaman carried in violation. The vessel also is liable in rem for the penalty.''

## CHAPTER 105—COASTWISE VOYAGES

Sec.
10501. Application.
10502. Shipping articles agreements.
10503. Exhibiting merchant mariners' documents.
10504. Wages.
10505. Advances.
10506. Trusts.
[10507. Repealed.]
10508. General penalties.
10509. Penalty for failing to begin voyage.

AMENDMENTS

1993—Pub. L. 103–206, title IV, § 415(b), Dec. 20, 1993, 107 Stat. 2438, struck out item 10507 ''Duties of shipping commissioners''.

### § 10501. Application

(a) Except for a vessel to which chapter 103 of this title applies, this chapter applies to a vessel of at least 50 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 on a voyage between a port in one State and a port in another State (except an adjoining State).

(b) This chapter does not apply to a vessel on which the seamen are entitled by custom or agreement to share in the profit or result of a voyage.

(c) Unless otherwise provided, this chapter does not apply to a foreign vessel.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 570; Pub. L. 104–324, title VII, § 738, Oct. 19, 1996, 110 Stat. 3941.)

HISTORICAL AND REVISION NOTES

| Revised section | Source section (U.S. Code) |
|---|---|
| 10501 | 46:574 |

Section 10501 specifies that vessels over 50 gross tons that are not subject to chapter 103 and are engaged on voyages between two states (except for adjoining states) are subject to the provisions of this chapter. Specifically excluded are foreign vessels and vessels on which seamen share the profits.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104–324 inserted ''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'' after ''50 gross tons''.

### § 10502. Shipping articles agreements

(a) The owner, charterer, managing operator, master, or individual in charge shall make a shipping agreement in writing with each seaman before the seaman commences employment.

(b) The agreement shall include the date and hour on which the seaman must be on board to begin the voyage.