HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
11501	46:701

Section 11501 provides penalties for specific offenses committed by seamen.

§ 11502. Entry of offenses in logbook

(a) When an offense listed in section 11501 of this title is committed, an entry shall be made in the vessel's official logbook—

(1) on the day of the offense;
(2) stating the details;
(3) signed by the master; and
(4) signed by the chief mate or another seaman.

(b) Before arrival in port if the offense was committed at sea, or before departure if the offense was committed in port and the offender is still on the vessel—

(1) the entry shall be read to the offender;
(2) the offender shall be given a copy; and
(3) the offender shall be given the opportunity to reply.

(c) After subsection (b) of this section has been complied with, an entry shall be made in the official logbook—

(1) stating that the entry about the offense was read and a copy provided to the offender;
(2) stating the offender's reply;
(3) signed by the master; and
(4) signed by the chief mate or another seaman.

(d) In a subsequent legal proceeding, if the entries required by this section are not produced or proved, the court may refuse to receive evidence of the offense.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 583.)

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
11502	46:702

Section 11502 describes the manner in which offenses must be recorded in the official logbook, and the use of the records by the court.

§ 11503. Duties of consular officers related to insubordination

(a) A consular officer shall use every means to discountenance insubordination on vessels of the United States, including employing the aid of local authorities.

(b) When a seaman is accused of insubordination, a consular officer shall inquire into the facts and proceed as provided in section 11106 of this title. If the consular officer discharges the seaman, the officer shall endorse the agreement required by this part and enter in the vessel's official logbook the cause and particulars of the discharge.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 583.)

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
11503	46:703

Section 11503 delegates to consular officers certain responsibilities related to insubordination of seamen on United States vessels.

§ 11504. Enforcement of forfeitures

When an offense by a seaman also is a criminal violation, it is not necessary that a criminal proceeding be brought to enforce a forfeiture.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 584.)

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
11504	46:705

Section 11504 provides that when a seaman has committed a criminal offense, a forfeiture may be enforced through civil proceedings.

§ 11505. Disposal of forfeitures

(a) Money, property, and wages forfeited under this chapter for desertion may be applied to compensate the owner or master of the vessel for expenses caused by the desertion. The balance shall be transferred to the appropriate district court of the United States when the voyage is completed.

(b) If it appears to the district court that the forfeiture was imposed properly, the property transferred may be sold in the same manner prescribed for the disposition of the property of deceased seamen. The court shall deposit in the Treasury as miscellaneous receipts the proceeds of the sale and any money and wages transferred to the court.

(c) When an owner or master fails to transfer the balance as required under subsection (a) of this section, the owner or master is liable to the United States Government for a civil penalty of 2 times the amount of the balance, recoverable by the Secretary in the same manner that seaman's wages are recovered.

(d) In all other cases of forfeiture of wages, the forfeiture shall be for the benefit of the owner of the vessel.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 584; Pub. L. 103–206, title IV, § 421, Dec. 20, 1993, 107 Stat. 2438.)

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
11505	46:706

Section 11505 provides for the disposal of wages forfeited by deserting seamen.

AMENDMENTS

1993—Subsec. (a). Pub. L. 103–206, § 421(1), substituted "The balance shall be transferred to the appropriate district court of the United States when the voyage is completed." for "The balance shall be transferred to the Secretary when the voyage is completed, as prescribed by the Secretary."

Subsec. (b). Pub. L. 103–206, § 421(2), struck out at beginning "Within one month of receiving the balance under subsection (a) of this section, the Secretary shall transfer the balance to the appropriate district court of the United States."

§ 11506. Carrying sheath knives

A seaman in the merchant marine may not wear a sheath knife on board a vessel without the consent of the master. The master of a vessel of the United States shall inform each seaman of this prohibition before engagement. A

master failing to advise a seaman is liable to the United States Government for a civil penalty of $50.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 584.)

HISTORICAL AND REVISION NOTES

Revised section	*Source section (U.S. Code)*
11506	46:710

Section 11506 prohibits a merchant seaman from carrying a sheath knife without permission of the master, and penalizes a master who does not advise a seaman of this provision.

§ 11507. Surrender of offending officers

When an officer of a vessel of the United States (except the master) has violated section 2191 of title 18, and the master has actual knowledge of the offense or if complaint is made within 3 days after reaching port, the master shall surrender the offending officer to the proper authorities. If the master fails to use diligence to comply with this section and the offender escapes, the owner, the master, and the vessel are liable for damages to the individual unlawfully punished.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 584.)

HISTORICAL AND REVISION NOTES

Revised section	*Source section (U.S. Code)*
11507	46:712

Section 11507 requires a master of a vessel of the United States to surrender to the proper authorities any officer who has violated section 2191 of title 18 (which provides a penalty for cruelty to seamen by officers), and penalizes the master for noncompliance.

PART H—IDENTIFICATION OF VESSELS

CHAPTER 121—DOCUMENTATION OF VESSELS

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CODIFICATION

This chapter was originally enacted by Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 584, and amended by Pub. L. 98–364, July 17, 1984, 98 Stat. 440; Pub. L. 98–454, Oct. 5, 1984, 98 Stat. 1732; Pub. L. 99–36, May 15, 1985, 99 Stat. 67; Pub. L. 99–307, May 19, 1986, 100 Stat. 444; Pub. L. 99–509, Oct. 21, 1986, 100 Stat. 1874; Pub. L. 99–570, Oct. 27, 1986, 100 Stat. 3207; Pub. L. 100–239, Jan. 11, 1988, 101 Stat. 1778; Pub. L. 100–710, Nov. 23, 1988, 102 Stat. 4735; Pub. L. 101–225, Dec. 12, 1989, 103 Stat. 1908; Pub. L. 101–380, Aug. 18, 1990, 104 Stat. 484; Pub. L. 101–595, Nov. 16, 1990, 104 Stat. 2979; Pub. L. 102–388, Oct. 6, 1992, 106 Stat. 1520; Pub. L. 102–587, Nov. 4, 1992, 106 Stat. 5039; Pub. L. 104–208, Sept. 30, 1996, 110 Stat. 3009; Pub. L. 104–324, Oct. 19, 1996, 110 Stat. 3901; Pub. L. 105–277, Oct. 21, 1998, 112 Stat. 2681; Pub. L. 105–383, Nov. 13, 1998, 112 Stat. 3411; Pub. L. 106–31, May 21, 1999, 113 Stat. 57; Pub. L. 107–20, July 24, 2001, 115 Stat. 155; Pub. L. 107–206, Aug. 2, 2002, 116 Stat. 820; Pub. L. 107–295, Nov. 25, 2002, 116 Stat. 2064; Pub. L. 108–136, Nov. 24, 2003, 117 Stat. 1392; Pub. L. 108–293, Aug. 9, 2004, 118 Stat. 1028; Pub. L. 109–241, July 11, 2006, 120 Stat. 516. This chapter is shown here, however, as having been enacted by Pub. L. 109–304, § 5, Oct. 6, 2006, 120 Stat. 1491, without reference to those intervening amendments because of the general amendment of this chapter by Pub. L. 109–304.

SUBCHAPTER I—GENERAL

§ 12101. Definitions

(a) REBUILT IN THE UNITED STATES.—In this chapter, a vessel is deemed to have been rebuilt in the United States only if the entire rebuilding, including the construction of any major component of the hull or superstructure, was done in the United States.

(b) RELATED TERMS IN OTHER LAWS.—When the following terms are used in a law, regulation, document, ruling, or other official act referring to the documentation of a vessel, the following definitions apply:

(1) REGISTRY ENDORSEMENT.—The terms ''certificate of registry'', ''register'', and ''registry'' mean a certificate of documentation with a registry endorsement issued under this chapter.

(2) COASTWISE ENDORSEMENT.—The terms ''license'', ''enrollment and license'', ''license for the coastwise (or coasting) trade'', and ''enrollment and license for the coastwise (or coasting) trade'' mean a certificate of documentation with a coastwise endorsement issued under this chapter.

(3) YACHT.—The term ''yacht'' means a recreational vessel even if not documented.

(Pub. L. 109–304, § 5, Oct. 6, 2006, 120 Stat. 1491.)