### 2023 Statutory Supplement to Admiralty and Maritime Law in the United States (Fourth Edition)

# 2023 Statutory Supplement to Admiralty and Maritime Law in the United States (Fourth Edition)

#### The Late David W. Robertson

Steven F. Friedell

PROFESSOR AT RUTGERS SCHOOL OF LAW-CAMDEN

Michael F. Sturley

FANNIE COPLIN REGENTS CHAIR
THE UNIVERSITY OF TEXAS SCHOOL OF LAW



Copyright © 2023 Estate of David W. Robertson Steven F. Friedell Michael F. Sturley All Rights Reserved

ISBN: 978-1-5310-2846-6 eISBN: 978-1-5310-2847-3

Carolina Academic Press 700 Kent Street Durham, North Carolina 27701 (919) 489-7486 www.cap-press.com

Printed in the United States of America

## Contents

Introduction	vii
United States Constitution	3
Federal Statutory Material	5
Rules of Construction Act	5
Piracy Statutes	6
Federal Judicial Code	7
Federal Tort Claims Act	11
Longshore and Harbor Workers' Compensation Act	17
Oil Pollution Act	22
Outer Continental Shelf Lands Act	25
Abandoned Shipwreck Act	28
Federal Employers' Liability Act	30
The Recodification of Title 46	32
Maritime Personal Injury Statute of Limitations	34
The Law Prior to the 2006 Recodification	34
Admiralty Extension Act	35
The Law Prior to the 2006 Recodification	35
Jones Act	37
The Law Prior to the 2006 Recodification	39
Death on the High Seas Act	41
The Law Prior to the 2006 Recodification	42
Limitation Act	44
The Law Prior to the 2006 Recodification	49
Harter Act	54
The Law Prior to the 2006 Recodification	55
Suits in Admiralty Act	58
The Law Prior to the 2006 Recodification	60
Public Vessels Act	62
The Law Prior to the 2006 Recodification	63
Federal Maritime Lien Act, Ship Mortgage Act	65
Maritime Drug Law Enforcement Act	69
Salvage Act	77
The Law Prior to the 2006 Recodification	77
Carriage of Goods by Sea Act	79

vi CONTENTS

Federal Rules of Civil Procedure	87
The Rules Prior to the 2007 "Plain-English" Amendments	99
International Material	101
1910 Brussels Convention for the Unification of Certain Rules of	
Law with Respect to Collision Between Vessels	101
International Regulations for Preventing Collisions at Sea,	
1972 (COLREGS)	103
York-Antwerp Rules 2016	109
United Nations Convention on Contracts for the International Carriage	
of Goods Wholly or Partly by Sea (the Rotterdam Rules)	115

### Introduction

This Statutory Supplement is designed for use with our Casebook, Admiralty and Maritime Law in the United States (4th ed. 2020), which is also published by Carolina Academic Press. It does not begin to include all of the statutory material that would be required to practice in the field, but it does include virtually all of the statutory material that a typical student would wish to consult in working through the teaching materials in the Casebook. Each source begins with a brief introductory passage to put the material in context. Further information is available in the appropriate section of the Casebook, or in standard references.

The statutory excerpts here could not be arranged in an order corresponding to the coverage in the Casebook itself (*i.e.*, the statutory material relevant to chapter I preceding that relevant to chapter II, and so on), for the simple reason that most of the material included here is relevant in more than one section of the Casebook. Indeed, the principal rationale for having the *Statutory Supplement* is to enable a student to refer to statutory authority when relevant without having to flip back and forth between different parts of the Casebook, and without having to reprint the same provision in more than one part of the Casebook.

Most of the *Statutory Supplement* consists of federal material, which is arranged in a hierarchical order—first the Constitutional provisions, then federal statutes, and finally federal rules. The federal statutes are, for the most part, arranged here in the same order that they have been codified in the United States Code. (Excerpts from the Federal Tort Claims Act, however, are reprinted together, starting on page 9.) The *Supplement* concludes with four international sources, which are arranged chronologically.

In editing these materials, we have used the same signals that we did in the Casebook. Omitted text is signaled by three asterisks. Inserted text is enclosed in brackets. Our own editorial footnotes are marked as such.