

S 3755

Fairness in Admiralty and Maritime Law Act

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Aug 5, 2010

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (Aug 5, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/3755>

Sponsor

Name: Sen. Rockefeller, John D., IV [D-WV]

Party: Democratic • **State:** WV • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Schumer, Charles E. [D-NY]	D · NY		Sep 27, 2010

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Aug 5, 2010

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

No related bills are listed.

Fairness in Admiralty and Maritime Law Act - Expands a shipowner's liability to claims not subject to limitation to include: (1) personal injury claims; (2) wrongful death claims; and (3) claims relating to oil drilling or exploration or the discharge of oil from a vessel or offshore facility. Excepts the owner of a fishing vessel from such limitation for claims for personal injury or wrongful death, unless the claim involves the privity or knowledge of the owner.

Allows punitive damages to be assessed without regard to the amount of compensatory damages assessed in a civil maritime action for damages arising out of a maritime tort, subject to exception.

Amends the Death on the High Seas Act to permit the personal representative of a decedent to bring a civil action in admiralty or law (limited to admiralty under current law) against the person or vessel responsible for the decedent's death when the death was caused by wrongful act, neglect, or default occurring on the high seas beyond three nautical miles from the shore of the United States.

Allows recovery in such an action for fair compensation for nonpecuniary loss (limited to pecuniary loss under current law), plus a fair compensation for the decedent's pain and suffering. Defines "nonpecuniary loss" as loss of care, comfort, and companionship.

Amends provisions concerning commercial aviation accidents to include general aviation accidents.

Amends the Jones Act to allow recovery for the loss of care, comfort, and companionship of a seaman in a claim by the seaman's representative relating to oil drilling or exploration or the discharge of oil when the seaman died as the result of such oil drilling or exploration or the discharge of oil.

Actions Timeline

- **Aug 5, 2010:** Introduced in Senate
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