

Safer Seas Act Section-by-Section

Section 1. Short title.

This section provides that the act may be cited as the “Safer Seas Act.”

Section 2. Definitions.

This section amends section 2101 of title 46, United States Code, to define the terms “sexual harassment” and “sexual assault”.

Section 3. Convicted sex offender as grounds for denial.

This section clarifies the ability of the Coast Guard to deny a license, certificate of registry, or merchant mariner’s document to an individual who has been convicted of sexual assault or sexual harassment (SASH) within the previous five years

Section 4. Sexual harassment or sexual assault as grounds for suspension or revocation.

This section requires the Coast Guard to revoke a license, certificate of registry, or merchant mariner’s document to an individual who has been convicted of sexual assault within the previous ten years, and it clarifies the ability of the Coast Guard to revoke or suspend such credentials to an individual who has been convicted of sexual harassment within the last five years.

Section 5. Accommodations; Notices.

This section amends section 11101 of title 46, United States Code, to require U.S. vessels to include information in each crew sleeping area and bathroom on the SASH and drug and alcohol policies of the vessels’ owner and operator and directions on how to report SASH and drug and alcohol incidents.

Section 6. Protection against discrimination.

This section amends section 2114 of title 46, United States Code, to protect victims and witnesses who report or intend to report SASH incidents from discrimination.

Section 7. Alcohol prohibition.

This section directs the Coast Guard to promulgate regulations related to crew consumption and possession of alcohol. It also includes an amnesty provision so that the violation of the alcohol policy does not impede the reporting of SASH incidents.

Section 8. Surveillance requirements.

This section mandates that non-passenger carrying, ocean-going, commercial vessels install a video surveillance system with audio capability in areas adjacent to bedrooms and limit access of footage to law enforcement officials and victims of SASH.

Section 9. Master key control.

This section requires that vessel owners, with the exception of cruise vessels subject to section 3507 of title 46, United States Code, implement a master key control system to limit access to the vessel's master key, maintain a logbook capturing all access and use of the vessel's master key, and make the logbook available to law enforcement officials upon request.

Section 10. Safety management systems.

This section amends section 3203 of title 46 to require company SASH policies be included in the vessel's safety management system.

Section 11. Requirement to report sexual assault and harassment.

This section amends 10104 of title 46, United States Code, to create new reporting mandates and procedures for crew and vessel owners to report SASH incidents to the Coast Guard and outlines the reporting procedure.

Section 12. Civil actions for personal injury to or death of seamen.

This section amends sections 30104 and 30106 of title 46, United States Code, to extend the current statute of limitations for civil cases under title 46 to five years for instances of SASH and clarifies that a private right of action for maritime SASH claims exists.

Section 13. Exemption to obtain mariner license.

This section amends section 51306 of title 46, United States Code, to allow the Secretary to waive requirements for U.S. Merchant Marine Academy students who provide reasonable safety concerns when obtaining a merchant mariner license required for graduation.

Section 14. Protection of cadets from sexual assault onboard vessels.

This section amends section 51322 of title 46, United States Code, to require the Maritime Administrator to establish criteria related to SASH prevention and response that the owner or operator of a vessel must agree to prior to carrying a U.S. Merchant Marine Academy cadet who is performing their Sea Year service.