

118TH CONGRESS
2D SESSION

H. R. 9899

To amend title 46, United States Code, to assign specified liability to a person who transfers title of a commercial vessel, or former commercial vessel, to a transferee for use as a recreational vessel if the transferee does not have applicable insurance at the time of the transfer and the vessel sinks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 2024

Mr. HARDER of California introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 46, United States Code, to assign specified liability to a person who transfers title of a commercial vessel, or former commercial vessel, to a transferee for use as a recreational vessel if the transferee does not have applicable insurance at the time of the transfer and the vessel sinks, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Abandoned Vessel Pre-
3 vention Act”.

4 **SEC. 2. LIABILITY FOR SPECIFIED EXPENSES RESULTING**
5 **FROM SINKING OF CERTAIN DECOMMIS-**
6 **SIONED COMMERCIAL VESSELS.**

7 (a) IN GENERAL.—Chapter 301 of title 46, United
8 States Code, is amended by adding at the end the fol-
9 lowing new section:

10 **“§ 30107. Liability for specified expenses resulting**
11 **from sinking of certain decommissioned**
12 **commercial vessels**

13 “(a) LIABILITY FOR TRANSFEROR.—Except as pro-
14 vided in subsection (b), any person who transfers title of
15 a covered vessel to another for use as a recreational vessel
16 shall be liable for any specified expenses resulting from
17 the vessel sinking on navigable waters of the United
18 States.

19 “(b) EXCEPTIONS.—

20 “(1) VESSEL LENGTH; VESSEL AGE.—Sub-
21 section (a) shall not apply to a vessel less than 35
22 feet in length or fewer than 40 years old.

23 “(2) INSURANCE.—Subsection (a) shall not
24 apply to a person who transfers title of a covered
25 vessel to a person who, at the time of the transfer,
26 has insurance—

1 “(A) applicable to the vessel for the 12-
2 month period beginning on the date of the
3 transfer; and

4 “(B) that, in the case the vessel sinks, cov-
5 ers specified expenses.

6 “(c) DEFINITIONS.—In this section:

7 “(1) COMMERCIAL VESSEL.—The term ‘com-
8 mercial vessel’ has the meaning given such term in
9 section 4462(a)(4) of the Internal Revenue Code of
10 1986 (26 U.S.C. 4462(a)(4)).

11 “(2) COVERED VESSEL.—The term ‘covered
12 vessel’ means—

13 “(A) commercial vessel; or

14 “(B) a recreational vessel that was pre-
15 viously a commercial vessel.

16 “(3) SPECIFIED EXPENSES.—The term ‘speci-
17 fied expenses’ mean, with respect to a sunken ves-
18 sel—

19 “(A) damages attributable to the sinking
20 of the vessel; and

21 “(B) expenses relating to—

22 “(i) removal of the vessel and any de-
23 bris;

24 “(ii) clean-up of any pollution attrib-
25 utable to the sinking of the vessel; and

1 “(iii) any shut down of, or repairs or
2 maintenance to, a water intake pump as a
3 result of pollution attributable to the sink-
4 ing of the vessel.

5 “(4) RECREATIONAL VESSEL.—The term ‘rec-
6 reational vessel’ has the meaning given such term in
7 section 2101 of title 46, United States Code.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 for chapter 301 of title 46, United States Code, is amend-
10 ed by adding at the end the following new item:

 “30107. Liability for specified expenses resulting from sinking of certain decom-
 missioned commercial vessels.”.

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