

Headlines:

White House - National Defense Authorization Act;
Portland – captain’s MMC suspended;
Senate – bill introduced re GPS backup system;
Court – duty of reasonable care to passengers; and
Florida – individuals charged with shark dragging.

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Bryant’s Maritime News

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White House – National Defense Authorization Act



President Trump signed into law the **National Defense Authorization Act for Fiscal Year 2018** (H.R. 2810). Among other things, the bill authorizes funding in the amount of \$50 million to support the National Security Multi-Mission Vessel Program; \$33 million for the Title XI loan guarantee program; and \$35 million for assistance to small shipyards and maritime communities. It amends the Oil Pollution Act of 1990 (OPA 90) to assert oil spill damage liability with regard to foreign offshore units and other facilities located seaward of the US EEZ. Finally, it includes various measures to prevent or deter sexual violence and harassment with regard to midshipmen enrolled at the US Merchant Marine Academy. (12/12/17) [<https://www.gpo.gov/fdsys/pkg/BILLS-115hr2810enr/pdf/BILLS-115hr2810enr.pdf>].

Portland – captain’s MMC suspended



The US Coast Guard issued a [news release](#) stating that a master’s Merchant Mariner Credential (MMC) has been suspended for three months. The master of a passenger vessel has found to have engaged in negligence on the Willamette River at Portland, Oregon on 29 October 2017 when he failed to take positive action to avoid a collision with recreational rowers during a rowing event. (12/13/17)

[<https://content.govdelivery.com/accounts/USDHSCG/bulletins/1cbeaa9>].

Senate – bill introduced re GPS backup system



Senator Cruz (R-TX) introduced a bill (S. 2220) to provide for the development, construction and operation of a backup to the Global Positioning System, and for other purposes. Official text of the bill is not yet available, but Senator Cruz issued a [press release](#) explaining the measure. (12/12/17)

[https://www.cruz.senate.gov/?p=press_release&id=3544].

Court – duty of reasonable care to passengers



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit affirmed the district court’s grant of summary judgment in favor of defendant cruise ship operator in a person injury case brought by a passenger. Plaintiff was injured when the ship encountered a storm. The captain had changed course and reduced speed due to the weather. He also had warnings disseminated to the passengers to be cautious and remain seated as much as possible. The court rejected plaintiff’s argument that defendant had to demonstrate a higher degree of care due to the circumstances. The court ruled that a ship owner is only required to exercise reasonable care to passengers.

[Kressly v. Oceania Cruises](#), No. 16-16889 (11th Cir., December 13, 2017)

[<http://media.ca11.uscourts.gov/opinions/unpub/files/201616889.pdf>].

Florida – individuals charged with shark dragging



The Florida Fish and Wildlife Conservation Commission (FWC) issued a [news release](#) stating that three individuals have been charged with aggravated animal cruelty connected to a video of a shark being dragged behind a

boat at high speed. (12/13/17)

[<https://content.govdelivery.com/accounts/FLFFWCC/bulletins/1cbc181>]

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