

Written Material

Liability for the Titanic and other Vessels

Introduction

1. Key Statutes in Maritime Law

- Responsibility of Shipowners Act (1734): One of the earliest statutes to define the liability of shipowners (Great Britain), this Act limited shipowners' financial liability to the value of the ship and its cargo post-journey. It set foundational principles for liability limitations that have echoed through maritime law for centuries.
- Limitation of Liability Act (1851): This U.S. law allows shipowners to limit their liability in the event of an accident to the value of the vessel and its freight at the end of the voyage. This act aimed to promote the shipping industry by capping potential losses shipowners could face from lawsuits.

2. Landmark Cases

- Oceanic Steam Navigation v. MELLOR (1914): This case involved the Titanic and addressed the legal ramifications of the Limitation of Liability Act of 1851. The court ruled that the act did apply, significantly limiting the compensations victims' families could claim, similar to the impacts of earlier British laws.
- Lozman v. City of Riviera Beach, FL: This Supreme Court case addressed the definition of a vessel under U.S. maritime law. Lozman's floating home was not deemed a "vessel", affecting the jurisdiction and applicable legal protections. This case clarifies the scope of maritime law concerning what constitutes a vessel. To be classified as a vessel, it must appear to a "reasonable observer" as designed for carrying "people or things on the water."

3. Concepts in Vessel Owner Liability

- "Privity or Knowledge": This principle determines the extent of a shipowner's liability based on their personal involvement or knowledge of the negligent condition. Where privity or knowledge is found, the Limitation of Liability Act cannot be invoked.

- Petition for Exoneration or Limitation of Liability: A legal filing that allows shipowners to limit their liability or completely exonerate themselves from claims following a maritime incident, contingent on proving lack of privity or knowledge.
- CONCURSUS: A legal principle involving the simultaneous claim against a single maritime property by multiple parties. This procedure helps to prevent multiple liability actions across different jurisdictions.

4. Notable Maritime Disasters and Legal Implications

- The Duck Boat Sinking (2018): The tragic sinking led to 17 deaths. The incident brought scrutiny on safety standards and regulations, and legal challenges regarding the application of the Limitation of Liability Act.
- Fire on the “Conception” (2019): This disaster, where 34 people died in a fire aboard a dive boat, highlighted issues of negligence and potential criminal liability, testing modern applications of maritime liability laws.
- USS John McCain Collision: This naval collision involved complex legal considerations related to governmental liability and the standards of navigation and vessel operation in congested waters. 10 sailors died.
- Explosion of the Deepwater Horizon: This 2010 oil rig disaster led to 11 deaths and massive environmental damage. It resulted in numerous lawsuits, testing the extent of corporate and operational liability in maritime contexts.