

LEGAL UPDATES

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JULIE E. MAURER

PHOENIX:

480.824.7883

JULIE.MAURER@

HUSCHBLACKWELL.COM

Key Bridge Collapse Leads to Proposed Legislative Overhaul

Earlier this week, two U.S. congressmen released proposed language for a bill—the Justice for Victims of Foreign Vessel Accidents Act—that was first announced via press release in August 2024. The proposed law would raise the level of legal liabilities faced by foreign-flagged vessels involved in causing maritime casualties in the U.S.

A major impetus for the proposed legislation was the collapse of the Francis Scott Key Bridge in Baltimore County, Maryland, in March 2024 after it was struck by a container vessel. In April, the vessel’s owners filed a joint petition in federal district court to limit their liability under the law to \$43.6 million, a tiny fraction of what some have termed as the largest marine insurance loss in history.

The Justice for Victims of Foreign Vessel Accidents Act seeks to amend the Limitation of Liability Act of 1851, the controlling law for maritime liability of this kind. Currently, the law stipulates that a vessel owner’s liability cannot exceed the value of the vessel and pending freight; the proposed bill would, among other things, change the liability limit for foreign vessel owners/operators to “not exceed the amount that is 10 times the value of the vessel and pending freight.”

What this means to you

A change of this magnitude would have a significant impact across the maritime industry, including for foreign-owned vessel operators, insurers, and reinsurers. Stakeholders should pay close attention to the status of the bill as it makes its way through the legislative process.

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If you have questions about how the proposed Justice for Victims of Foreign Vessel Accidents Act would impact your operations or other questions regarding maritime liability, please contact Julie Maurer or your Husch Blackwell attorney.