

**H.R. \_\_\_\_, THE CRUISE VESSEL CONSUMER CONFIDENCE ACT OF 2013**  
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**EXECUTIVE SUMMARY**

In February 2013, the cruise ship *Triumph* was stranded in the Gulf of Mexico. In March, Carnival *Elation* had to be towed by a tug after it lost steering; Carnival *Dream* stranded over 4,000 passengers at the island of St. Maarten; and Carnival *Legend* had to Sail back to Tampa at a reduced speed after a mechanical problem. In May, there was a destructive fire that resulted in passengers being evacuated from the Royal Caribbean International cruise ship *Grandeur of the Seas*. In October, over 300 passengers were ill on the *Celebrity Summit* when there was a norovirus outbreak. Most recently, in November, the world's largest cruise ship, the *Allure of the Seas*, was slowed when there was a mechanical problem with the propulsion unit. The Passengers stranded aboard these vessels have reported that there have been instances where there was inadequate information, dangerous conditions, and that basic physical needs were not being met.

H.R. \_\_\_\_, the "Cruise Vessel Consumer Confidence Act of 2013" authorizes the Federal Maritime Commission (FMC) to provide oversight and to investigate deceptive practices and unfair competition relating to cruise vessel passenger travel. This Act also requires the cruise line industry to make disclosures, provide timely information to passengers, provide for the physical needs of passengers, and to reimburse passengers that are delayed for more than 24 hours.

**SECTION-BY-SECTION**

*Section 1. Short title.*

This section provides that the short title of the bill is the "Cruise Vessel Consumer Confidence Act of 2013."

*Section 2. Cruise Vessel Passenger Protections.*

This section amends subtitle VIII of title 46, United States Code, by adding "Chapter 807- Cruise Vessel Passenger Protections." Chapter 807 includes the following sections:

- § 80701. Unfair or deceptive practices and unfair methods of competition.
- § 80702. Reimbursement for delays.
- § 80703. Customer service plans.
- § 80704. Passenger complaints.
- § 80705. Report.
- § 80706. Authorization of fees.
- § 80707. Definitions.

Below is a summary and explanation for each of the sections included within Chapter 807.

*Sec. 80701. Unfair or deceptive practices and unfair methods of competition.*

This section grants authority to the Federal Maritime Commission (FMC) to investigate potential unfair or deceptive practices or unfair methods of competition relating to the sale of tickets for passenger travel on a cruise vessel. If the FMC determines that there has been a violation, there will be notice and an opportunity for a hearing. If the deceptive practice continues, the FMC may impose a maximum civil penalty of \$25,000 per violation, with each additional day qualifying as a separate violation.

This section also requires that operators and owners of cruise vessels disclose the following information prior to the sale of tickets for passenger travel: the name of the cruise vessel; the casualty history including all man overboard instances; a list of all complaints of crimes including incidents reported to the Federal Bureau of Investigation (FBI); the number of gastric illness outbreaks; the number and length of delays; the country where the cruise vessel is flagged; where civil and criminal legal proceedings will be held for incidents that occur outside of United States waters; a statement as to whether the ticket price includes all applicable taxes and fees; an estimate of all applicable taxes and fees; any other material condition required by the FMC; and instructions to passengers on how to file complaints with the FMC. Additionally, this section prohibits the practice of requiring printed tickets for passengers who purchase their ticket online.

*Sec. 80702. Reimbursement for delays.*

This section provides for monetary reimbursement to passengers that are delayed from the initial departure or the final disembarking of a cruise vessel. If the owner or operator fails to reimburse passengers as required under this subsection the FMC may impose a maximum civil penalty of \$25,000.

*Sec. 80703. Customer service plans.*

This section requires the owners and operators of cruise vessels to submit a plan with respect to customer service that includes processes for notifying passengers of delays and cancellations; having transparent cancellation policies; issuing prompt ticket refunds when there has been a cancellation; accommodating passengers with disabilities or special needs; responding to passenger complaints; notifying passengers as to changes in itineraries or ports of call; and meeting the essential needs of passengers during lengthy delays. This Customer Service Plan (Plan) is to be incorporated into the ticket contract and the owner and operator of the cruise vessel shall make this ticket contract with the Plan available on its website.

This section authorizes the FMC to provide the administrative oversight necessary to ensure Plan completeness and compliance with filing requirements. The FMC is to review the submitted Plans for completeness, and has the option to periodically review Plans and to require updates of the Plans as necessary. Within 90 days of enactment of this section, the FMC will issue guidance with respect to the Plans and provide information regarding the Plan elements and

filing instructions. If an owner or operator is determined to be operating without having submitted a Plan to the FMC for review, or if they are operating in violation of their Plan, they may be subject to civil penalties. The FMC, after notice and an opportunity for a hearing, may impose a maximum civil penalty of \$25,000 per violation, with each additional day qualifying as a separate violation.

*Sec. 80704. Passenger complaints.*

This section requires the FMC to establish a reporting method for cruise vessel passenger complaints.

*Sec. 80705. Report.*

This section requires the FMC to make reports to Congress every three years as to the implementation of this chapter, including any penalties imposed under this chapter.

*Sec. 80706. Authorization of Fees.*

This section authorizes the FMC to establish, adjust, and collect cruise vessel ticket fees in order to implement this Chapter.

*Sec. 80707. Definitions.*

This section limits the definition of cruise vessel to only include those vessels that are authorized to carry 250 passengers, have onboard sleeping facilities, and are on a voyage that embarks or disembarks passengers in the United States. This section also includes a savings clause to clarify that this Act will not eliminate or replace authority provided to a department or agency under existing Federal or State law.