

# A BRIEF EXPLANATION OF COVERAGE PROVIDED BY MARITIME OFFICERS LIABILITY

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Robinson & Son, LLC. has developed a new policy designed to protect Maritime Officers in the event they are individually sued in connection with a maritime accident involving Bodily Injury, Property Damage or Pollution Liability for their operation of a non-owned vessel. The need for this policy became evident when it was determined that most domestic Protection & Indemnity insurers do not want to add a captain or officer as an insured on a policy unless he or she is an owner of the vessel. Mutual Protection and Indemnity clubs may possibly provide some element of this coverage. However, with the increasing likelihood that the captain is going to be sued personally in the event of a serious Maritime casualty the interest of the vessel owner and the captain might not be the same.

Recent significant maritime casualties including the Staten Island Ferry crash of 2003, The COSCO BUSAN bridge allision in San Francisco, and the ETHAN ALLEN capsizing on Lake George have shown that Government officials and plaintiff's attorneys may be quick to file lawsuits against the Deck Officers on the vessel, whether or not they had a causal connection to the accident. Additionally, the Seaman's Manslaughter Act and State and Federal Environmental regulations also threaten Maritime officers with legal action.

Maritime Officers Legal Liability insurance can be purchased with a \$500,000 or \$1,000,000 combined single limit, inclusive of defense costs. The form was developed in consultation with attorneys and marine insurance company representatives and is based upon a common Commercial Protection & Indemnity form known as SP-38, Shoreside General Liability coverage and some elements of OPA-1990 Pollution coverage.

There are explicit exclusions in the contract including:

- Any incident where you are operating a vessel outside of your license grade or without a valid or current license;
- Any incident where you are operating under the influence of illegal drugs or alcohol;
- Knowingly committing an illegal act in the conduct of duty.

You will need to consult the actual policy for the exact terms, conditions and exclusions governing coverage. This memo is intended only to give a brief synopsis of how the policy works.

Maritime Officers Liability insurance is written with a company of Starr Indemnity & Liability Company a Bests A rated insurer.

For additional information, please contact Robinson & Son by phone at 888.746.9230 or by email [info@captainscoverage.com](mailto:info@captainscoverage.com)