CHAPTER 1

General Provisions

**SECTION 54‑1‑10.** Charleston designated State port.

The port of Charleston is hereby declared the State port of South Carolina. Nothing in this section contained shall be construed as in any wise intended to be prejudicial to any other port of the State.

HISTORY: 1962 Code Section 54‑451; 1952 Code Section 54‑451; 1942 Code Section 6734; 1932 Code Section 6734; 1925 (34) 160; 1942 (42) 1680.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Shipping Law Section 69, Charleston Designated as Official State Port.

**SECTION 54‑1‑20.** Discharge of oil or any oil product from vessel in harbor.

It shall be unlawful for any person, his agent, servant or employee in charge of or having custody of any vessel entering or while within any harbor in this State to discharge or permit to be discharged from any such vessel any seepage or refuse of fuel oil or any other oil product. Any violation of this section shall be a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five hundred dollars. If such fine is not paid it shall be a lien on the vessel over which such person had control prior to all other liens except State taxes and shall be enforceable as other liens are by the laws of this State. The port commissioner or other officer or person in charge of or having supervision over vessels entering the ports of this State shall see that the provisions of this section are enforced.

HISTORY: 1962 Code Section 54‑453; 1952 Code Section 54‑453; 1942 Code Section 1355; 1932 Code Section 1355; Cr. C. ‘22 Section 252; 1921 (32) 159.

CROSS REFERENCES

Equipment and operation of watercraft, generally, see Sections 50‑21‑10 et seq.

Pollution and poisoning of waters and use of explosives, see Sections 50‑13‑1410 et seq.

Pollution Control Act, see Sections 48‑1‑10 et seq.

Pollution control facilities, see Sections 48‑3‑10 et seq.

LIBRARY REFERENCES

65 C.J.S., Navigable Waters Section 11.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Shipping Law Section 21, Discharge of Oil or Other Products.

S.C. Jur. Shipping Law Section 49, Lien for Unlawful Discharge of Oil.

S.C. Jur. Shipping Law Section 82, Discharge of Oil or Other Products.

**SECTION 54‑1‑30.** Discharge of oil or other products into harbor of county containing city over 60,000.

It shall be unlawful for any person to dump or discharge intentionally any products, waste or refuse of fuel oil, petroleum or coal at any place within this State from which it shall drain into the waters of any harbor in any county in this State containing a city of more than sixty thousand population according to the United States census of 1930. Any violation hereof shall be a misdemeanor and any person convicted thereof shall be subject to a fine not exceeding five hundred dollars or imprisonment not exceeding six months or both. It shall be the duty of the port or harbor commissioners, as well as that of all law enforcing officers to see that the provisions hereof are enforced.

HISTORY: 1962 Code Section 54‑454; 1952 Code Section 54‑454; 1942 Code Section 1356; 1933 (38) 389.

CROSS REFERENCES

Pollution and poisoning of waters and use of explosives, see Sections 50‑13‑1410 et seq.

Pollution Control Act, see Sections 48‑1‑10 et seq.

Pollution control facilities, see Sections 48‑3‑10 et seq.

LIBRARY REFERENCES

65 C.J.S., Navigable Waters Section 11.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Shipping Law Section 21, Discharge of Oil or Other Products.

S.C. Jur. Shipping Law Section 82, Discharge of Oil or Other Products.

**SECTION 54‑1‑40.** Criminal liability for unskillful or negligent management of steamboat.

(A) It is unlawful for the captain, master, or other person having the command or charge of a boat to cause injury to life or limb of another by:

(1) the explosion of a boiler of a steamboat;

(2) reason of the unskillfulness, mismanagement, or negligence of the person having the charge or command of the boat; or

(3) reason of the deficiency or want of any matter or thing necessary and proper for the management or seaworthiness of any such boat.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both.

(C) This section must not be construed to prevent the defendant from showing, at the trial, that the injury arose from unavoidable accident or without fault on his part and this section must not be construed to restrict the liability of a person convicted under any other law.

HISTORY: 1962 Code Section 54‑455; 1952 Code Section 54‑455; 1942 Code Section 1126; 1932 Code Section 1126; Cr. C. ‘22 Section 23; Cr. C. ‘12 Section 168; Cr. C. ‘02 Section 137; G. S. 2477; R. S. 135; 1837 (6) 571; 1993 Act No. 184, Section 250, eff January 1, 1994.

Effect of Amendment

The 1993 amendment rewrote this section so as to change the maximum term of imprisonment to conform to the classification established for each offense.

CROSS REFERENCES

Equipment and operation of watercraft, generally, see Sections 50‑21‑10 et seq.

Provisions affecting steamboat companies, see Sections 58‑15‑610, 58‑15‑710, 58‑15‑720.

LIBRARY REFERENCES

80 C.J.S., Shipping Section 77.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Shipping Law Section 19, Negligent or Reckless Operation.