

AMENDMENTS

2012—Pub. L. 112-213 substituted “Limitation of liability for Coast Guard Vessel Traffic Service pilots and non-Federal vessel traffic service operators” for “Limitation of liability for Coast Guard Vessel Traffic Service pilots” in section catchline, designated existing provisions as subsec. (a), inserted subsec. (a) heading, and added subsec. (b).

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

PART B—INSPECTION AND REGULATION OF VESSELS

HISTORICAL AND REVISION NOTES

Part B provides authority and responsibility for the inspection and regulation of vessels by the Coast Guard. This part specifies those vessels subject to inspection, those that are specifically exempt from inspection, and related inspection requirements and procedures. Due to the need for special requirements for the inspection and regulation of passenger vessels and those vessels carrying liquid bulk dangerous cargoes separate chapters have been developed. Additional chapters provide for recreational vessels and those other vessels that are regulated but are not subject to inspection and certification by the Coast Guard. It should also be noted that the United States is signatory to a number of international treaties on maritime safety and seamen’s welfare, such as the various Safety of Life at Sea (SOLAS) treaties, and that their provisions and requirements are part of United States maritime law and in many cases are quite extensive.

CHAPTER 31—GENERAL

- Sec. 3101. Authority to suspend inspection.
3102. Immersion suits.
3103. Use of reports, documents, and records.
3104. Survival craft.

AMENDMENTS

2010—Pub. L. 111-281, title VI, § 609(b), Oct. 15, 2010, 124 Stat. 2968, added item 3104.
1996—Pub. L. 104-324, title VI, § 603(b), Oct. 19, 1996, 110 Stat. 3930, added item 3103.
1988—Pub. L. 100-424, § 8(a)(3), Sept. 9, 1988, 102 Stat. 1593, substituted “Immersion” for “Exposure” in item 3102.
1985—Pub. L. 99-36, § 2, May 15, 1985, 99 Stat. 68, repealed section 22 of Pub. L. 98-557 and the amendments made by that section, which added first identical item 3102, effective Nov. 8, 1984, thereby leaving Pub. L. 98-623 as the sole authority for the addition of item 3102. See 1984 Amendment note below.
1984—Pub. L. 98-557, § 22(a)(2), Oct. 30, 1984, 98 Stat. 2871, and Pub. L. 98-623, title VII, § 701(a)(2), Nov. 8, 1984, 98 Stat. 3413, added identical item 3102. See 1985 Amendment note above.

§ 3101. Authority to suspend inspection

When the President decides that the needs of foreign commerce require, the President may suspend a provision of this part for a foreign-built vessel registered as a vessel of the United States on conditions the President may specify. (Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 510.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 3101, 46:82

Section 3101 provides the President with the authority to suspend the inspection laws for a foreign-built reflagged U.S. vessel when the needs of foreign commerce require this. For example, if a foreign-flag vessel is reflagged in the U.S. but does not meet the specific Coast Guard inspection requirements, the President could suspend these requirements.

EFFECTIVE DATE

Pub. L. 98-89, § 2(g)(1), Aug. 26, 1983, 97 Stat. 599, provided that: “Part B [chapters 31 to 43] of subtitle II and sections 7306 (related to able seaman sail) and 7311 of title 46 (as enacted by section 1 of this Act) take effect April 15, 1984, or when regulations for sailing school vessels under part B are effective, whichever is earlier.” [Part B of subtitle II and sections 7306 (related to able seaman sail) and 7311 of title 46 effective Apr. 15, 1984, in absence of regulations for sailing school vessels under part B on that date.]

DELEGATION OF FUNCTIONS

For delegation to Secretary of the Treasury of authority vested in President by this section, see Ex. Ord. No. 10289, Sept. 17, 1951, 16 F.R. 9499, as amended, set out as a note under section 301 of Title 3, The President.

§ 3102. Immersion suits

(a) The Secretary shall by regulation require immersion suits on vessels designated by the Secretary that operate in the Atlantic Ocean north of 32 degrees North latitude or south of 32 degrees South latitude and in all other waters north of 35 degrees North latitude or south of 35 degrees South latitude. The Secretary may not exclude a vessel from designation under this section only because that vessel carries other life-saving equipment.

(b) The Secretary shall establish standards for an immersion suit required by this section, including standards to guarantee adequate thermal protection, buoyance, and flotation stability.

(c)(1) The owner, charterer, managing operator, agent, master, or individual in charge of a vessel violating this section or a regulation prescribed under this section is liable to the United States Government for a civil penalty of not more than \$5,000. The vessel also is liable in rem for the penalty.

(2) The owner, charterer, managing operator, agent, master, or individual in charge of a vessel violating this section or a regulation prescribed under this section may be fined not more than \$25,000, imprisoned for not more than 5 years, or both.

(Added Pub. L. 98-557, § 22(a)(1), Oct. 30, 1984, 98 Stat. 2871; amended Pub. L. 98-623, title VII, § 701(a)(1), Nov. 8, 1984, 98 Stat. 3413; Pub. L. 99-36, § 2, May 15, 1985, 99 Stat. 68; Pub. L. 100-424, § 8(a)(1), (2), Sept. 9, 1988, 102 Stat. 1592, 1593.)

CODIFICATION

Pub. L. 98-557 and Pub. L. 98-623 enacted identical section 3102 of this title. Section 22 of Pub. L. 98-557, which enacted first identical section 3102 of this title, was repealed by section 2 of Pub. L. 99-36, set out below as a Repeal of Duplicate Section note.