

ment of the Cruise Vessel Safety and Security Act of 2010 and shall remain in effect until superseded by the requirements of subsection (c).

(e) CIVIL PENALTY.—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than \$50,000.

(f) DENIAL OF ENTRY.—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

- (1) commits an act or omission for which a penalty may be imposed under subsection (e); or
- (2) fails to pay a penalty imposed on the owner under subsection (e).

(Added Pub. L. 111-207, §3(a), July 27, 2010, 124 Stat. 2250.)

REFERENCES IN TEXT

The date of enactment of the Cruise Vessel Security and Safety Act of 2010, referred to in subssecs. (a) and (d), is the date of enactment of Pub. L. 111-207, which was approved July 27, 2010.

CHAPTER 37—CARRIAGE OF LIQUID BULK DANGEROUS CARGOES

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AMENDMENTS

2006—Pub. L. 109-304, §15(14), Oct. 6, 2006, 120 Stat. 1703, inserted “single hull” before “non-self-propelled” in item 3719.

1996—Pub. L. 104-324, title IX, §901(c), Oct. 19, 1996, 110 Stat. 3947, added item 3719.

1990—Pub. L. 101-380, title IV, §4115(c), Aug. 18, 1990, 104 Stat. 520, added item 3703a.

HISTORICAL AND REVISION NOTES

Chapter 37 consolidates the laws that are applicable to vessels that transport oil or hazardous material in bulk as cargo or cargo residue.

The history of Federal authority to carry out a tank vessel safety program begins with the enactment of the so-called Tank Vessel Act of 1936 which, as amended, is presently codified in section 391a of title 46, United States Code. The 1936 Act remained essentially the same until it was amended by the Ports and Waterways Safety Act of 1972. The 1972 amendment contained more specific standards for the protection of a tank vessel and its crew and added vessel standards to improve the quality of the marine environment. After a rash of

tank vessel accidents during the latter part of 1976 and early 1977 within our territorial seas and in nearby coastal waters, there was an outpouring of public attention to the need to protect United States ports and waterways, for the safety of tank vessels, and for the protection of the marine environment. This led to the enactment of the Port and Tanker Safety Act of 1978, which provided broader and more extensive regulatory authority over areas already regulated and over many areas not previously regulated. It provided for improvements in the supervision and control of vessels of all types operating in the navigable waters of the United States, and in the safety of all tank vessels, foreign or domestic, that transport or transfer oil or hazardous cargoes in ports or places subject to the jurisdiction of the United States. The 1978 amendments also reflect, in part, certain tank vessel standards and requirements that have been accepted internationally, in particular those developed by the International Conference on Tanker Safety and Pollution Prevention held in London in February, 1978.

§ 3701. Definitions

In this chapter—

(1) “existing”, when referring to a type of vessel to which this chapter applies, means a vessel that is not a new vessel.

[(2) Repealed. Pub. L. 100-424, §8(c)(2), Sept. 9, 1988, 102 Stat. 1593.]

(3) “new”, when referring to a type of vessel to which this chapter applies, means a vessel—

(A) for which the building contract is placed after June 1, 1979;

(B) in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction, after January 1, 1980;

(C) the delivery of which is after June 1, 1982; or

(D) that has undergone a major conversion under a contract made after June 1, 1979, or construction work that began after January 1, 1980, or was completed after June 1, 1982.

(4) “person” means an individual (even if not a citizen or national of the United States), a corporation, partnership, association, or other entity (even if not organized or existing under the laws of a State), the United States Government, a State or local government, a government of a foreign country, or an entity of one of those governments.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 521; Pub. L. 99-509, title V, §5102(b)(5), Oct. 21, 1986, 100 Stat. 1927; Pub. L. 100-424, §8(c)(2), Sept. 9, 1988, 102 Stat. 1593.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3701(1)	46:391a(2)(R)
3701(2)	46:391a(2)(P)
3701(3)	46:391a(2)(Q)
3701(4)	46:391a(2)(F)
3701(5)	46:391a(2)(J)
3701(6)	46:391a(2)(K)

Section 3701 contains definitions that are of a special nature with limited applicability to this chapter.

AMENDMENTS

1988—Par. (2). Pub. L. 100-424 struck out par. (2) which read as follows: “‘major conversion’ means a conversion of an existing vessel that substantially changes the dimensions or carrying capacity of the vessel or changes the type of vessel or substantially prolongs its