

1998—Pub. L. 105-178, title VII, §7405(c)(2), June 9, 1998, 112 Stat. 488, substituted “appropriations” for “contract spending” in item 13106.

1984—Pub. L. 98-369, div. A, title X, §1016(c)(2), July 18, 1984, 98 Stat. 1020, struck out item 13107 “National Recreational Boating Safety and Facilities Improvement Fund”.

§ 13101. Definitions

In this chapter:

(1) ELIGIBLE STATE.—The term “eligible State” means a State that has a State recreational boating safety program accepted by the Secretary.

(2) STATE RECREATIONAL BOATING SAFETY PROGRAM.—The term “State recreational boating safety program” means education, assistance, and enforcement activities conducted for maritime casualty prevention, reduction, and reporting for recreational boating.

(Pub. L. 109-304, §16(b)(2), Oct. 6, 2006, 120 Stat. 1705.)

HISTORICAL AND REVISION NOTES

Section 16 of the bill [H.R. 1442, which became Pub. L. 109-304] moves the definitions relating to the recreational boating safety program from section 2102(a)(1) and (3) to chapter 131 because the terms only appear in chapter 131.

Section 16 of the bill also eliminates the special definitions of “State” and “United States” in section 2102(a)(2) as including the Trust Territory of the Pacific Islands because the Trust Territory has been terminated. See the definitions of “State” and “United States” in section 2101, which are being moved to chapter 1 and being made applicable title-wide. Those definitions already include the Northern Mariana Islands, the only component of the former Trust Territory still under United States sovereignty.

PRIOR PROVISIONS

A prior section 13101 was renumbered section 13102 of this title.

§ 13102. State recreational boating safety programs

(a) To encourage greater State participation and uniformity in boating safety efforts, and particularly to permit the States to assume the greater share of boating safety education, assistance, and enforcement activities, the Secretary shall carry out a national recreational boating safety program. Under this program, the Secretary shall make contracts with, and allocate and distribute amounts to, eligible States to assist them in developing, carrying out, and financing State recreational boating safety programs.

(b) The Secretary shall establish guidelines and standards for the program. In doing so, the Secretary—

- (1) shall consider, among other things, factors affecting recreational boating safety by contributing to overcrowding and congestion of waterways, such as the increasing number of recreational vessels operating on those waterways and their geographic distribution, the availability and geographic distribution of recreational boating facilities in and among applying States, and State marine casualty and fatality statistics for recreational vessels;
(2) shall consult with the Secretary of the Interior to minimize duplication with the pur-

poses and expenditures of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4—4601-11)¹ the Federal Aid in Sport Fish Restoration Act of 1950 (16 U.S.C. 777-777k), and with the guidelines developed under those Acts; and

(3) shall maintain environmental standards consistent with the Coastal Zone Management Act of 1972 (16 U.S.C. 1451-1464) and other laws and policies of the United States intended to safeguard the ecological and esthetic quality of the waters and wetlands of the United States.

(c) A State whose recreational boating safety program has been approved by the Secretary is eligible for allocation and distribution of amounts under this chapter to assist that State in developing, carrying out, and financing its program. Matching amounts shall be allocated and distributed among eligible States by the Secretary as provided by section 13104 of this title.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 592, §13101; Pub. L. 98-369, div. A, title X, §1011(b), July 18, 1984, 98 Stat. 1013; Pub. L. 101-595, title III, §312(a), Nov. 16, 1990, 104 Stat. 2987; renumbered §13102 and amended Pub. L. 109-304, §16(b)(1), (c)(3), Oct. 6, 2006, 120 Stat. 1705, 1706.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 13101, 46:1474

Section 13101(a) authorizes the Secretary to make contracts with, and allocate amounts to eligible States to assist them in carrying out their recreational boating safety and facilities improvement programs.

Subsection (b) requires the Secretary to establish guidelines and standards for the program, and specifies specific conditions the Secretary must consider, requires consultation with the Secretary of the Interior, and to maintain environmental standards consistent with the Coastal Zone Management Act.

Subsection (c) makes the States who meet the standards prescribed by the Secretary eligible for the amounts authorized under this chapter.

REFERENCES IN TEXT

The Land and Water Conservation Fund Act of 1965, referred to in subsec. (b)(2), is Pub. L. 88-578, Sept. 3, 1964, 78 Stat. 897, as amended, which is classified generally to part B (§4601-4 et seq.) of subchapter LXIX of chapter 1 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 4601-4 of Title 16 and Tables.

The Federal Aid in Sport Fish Restoration Act of 1950, referred to in subsec. (b)(2), is act Aug. 9, 1950, ch. 658, 64 Stat. 430, as amended, also known as the Dingell-Johnson Sport Fish Restoration Act, the Federal Aid in Fish Restoration Act, and the Fish Restoration and Management Projects Act, which is classified generally to chapter 10B (§777 et seq.) of Title 16. For complete classification of this Act to the Code, see Short Title note set out under section 777 of Title 16 and Tables.

The Coastal Zone Management Act of 1972, referred to in subsec. (b)(3), is title III of Pub. L. 89-454 as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, as amended, which is classified generally to chapter 33 (§1451 et seq.) of Title 16. For complete classification of this Act to the Code, see Short Title note set out under section 1451 of Title 16 and Tables.

¹So in original. A comma probably should appear after “(16 U.S.C. 4601-4—4601-11)”.