

and stolen vessel tracking, this fee is designed as a maintenance charge to owners for this service. The collection of the annual fee may be delayed by the Secretary, and an agency, State, or person may be employed to collect the fee under subsection (c). The Committee expects that the Secretary will make agreements with States to collect this fee at the time of vessel registrations. The term of these registrations varies from one to three years as permitted by chapter 123 of title 46.

Under subsection (d) of this section, if a State is employed to collect the fee, the State may retain one-half of the amounts collected, and must transfer the remainder to the Secretary. The amounts retained by a State may be used to cover the costs of making vessel identification information available to the Secretary. This includes upgrading or establishing titling systems as well as making improvements and other changes to vessel numbering systems to make information available. Because States are allowed to make improvements to their vessel titling and numbering systems with the amounts retained under this section, the costs of those programs may decrease. This could result in a corresponding decrease in State numbering fees and offset vessel identification system fees paid by vessel owners.

#### AMENDMENTS

1990—Subsec. (b). Pub. L. 101-595 redesignated subsec. (e) as (b) and struck out former subsec. (b) which read as follows: “In addition to any fee under subsection (a) of this section, the Secretary may collect an annual fee of not more than \$1.00 from the owner of each vessel of the United States under section 9701 of title 31 for maintaining the vessel identification system. However, the collection of that fee may be delayed under conditions prescribed by the Secretary.”

Subsecs. (c), (d). Pub. L. 101-595 struck out subsecs. (c) and (d) which read as follows:

“(c) The Secretary may employ any agency, State, or person to collect the fee established under subsection (b) of this section.

“(d) If a State is employed to collect a fee under subsection (c) of this section, the State may retain one-half of the amounts collected. A State shall transfer one-half of the amounts collected under subsection (b) of this section to the Secretary.”

Subsec. (e). Pub. L. 101-595 redesignated subsec. (e) as (b).

Subsec. (f). Pub. L. 101-595 struck out subsec. (f) which read as follows: “The amounts retained by a State under this section may be used to make information available to the Secretary and to pay incremental administrative costs.”

#### ANNUAL FEE PRIOR TO JAN. 1, 1992

Pub. L. 100-710, title I, §104(e)(1), Nov. 23, 1988, 102 Stat. 4751, provided that: “Before January 1, 1992, the annual fee under section 12505 of title 46, United States Code (as enacted by section 101 of this Act), is \$1.00.”

### § 12506. Delegation of authority

The Secretary of Transportation may delegate to an agency, a State, or a qualified person the authority to—

- (1) establish and maintain the vessel identification system; and
- (2) charge fees under section 12505 of this title to a person making information available to or requesting information from the vessel identification system.

(Added Pub. L. 100-710, title I, §101(a), Nov. 23, 1988, 102 Stat. 4737.)

#### HISTORICAL AND REVISION NOTES

##### Revised section 12506

This section allows the Secretary to delegate the authority to establish and maintain the vessel identifica-

tion system to an agency, a State, or a qualified person. The Secretary may also delegate the authority to charge fees under section 12505 for requesting information from or making information available to the vessel identification system.

### § 12507. Penalties

(a) A person shall be fined under title 18, imprisoned for not more than 2 years, or both, if the person with the intent to defraud—

(1) provides false information to the Secretary of Transportation or a State issuing authority regarding the identification of a vessel under this chapter; or

(2) tampers with, removes, or falsifies the unique vessel identification number assigned to a vessel under section 12502 of this title.

(b) A person is liable to the United States Government for a civil penalty of not more than \$10,000 if the person—

(1) provides false information to the Secretary or a State issuing authority regarding the identification of a vessel under this chapter;

(2) violates section 12502 of this title; or

(3) fails to comply with requirements prescribed by the Secretary under section 12505 of this title.

(c) A vessel involved in a violation of this chapter, or regulation under this chapter, and its equipment, may be seized by, and forfeited to, the Government.

(d) If a person, not an individual, is involved in a violation of this chapter, the president or chief executive of the person also is subject to any penalty provided under this section.

(Added Pub. L. 100-710, title I, §101(a), Nov. 23, 1988, 102 Stat. 4737.)

#### HISTORICAL AND REVISION NOTES

##### Revised section 12507

This section establishes criminal and civil penalties for certain violations of chapter 125 of title 46 (as enacted by this Act).

### PART I—STATE BOATING SAFETY PROGRAMS

#### CHAPTER 131—RECREATIONAL BOATING SAFETY

##### Sec.

13101.	Definitions.
13102.	State recreational boating safety programs.
13103.	Program acceptance.
13104.	Allocations.
13105.	Availability of allocations.
13106.	Computation decisions about State amounts expended.
13107.	Authorization of appropriations.
13108.	Computing amounts allocated to States and State records requirements.
13109.	Consultation, cooperation, and regulation.
13110.	National Boating Safety Advisory Council.

#### HISTORICAL AND REVISION NOTES

This Chapter establishes the recreational boating safety and facility program administered by the Coast Guard. The general purpose is to encourage State participation in boating safety education and enforcement activities.

#### AMENDMENTS

2006—Pub. L. 109-304, §16(b)(3), Oct. 6, 2006, 120 Stat. 1705, added item 13101 and redesignated former items 13101 to 13106 as 13102 to 13107, respectively.