

more than \$5,000” for “shall be fined not more than \$10,000, imprisoned for not more than one year, or both”.

Subsec. (h). Pub. L. 98-498, §211(c)(7), substituted “Government for a civil penalty of not more than \$1,000.” for “United States Government for a civil penalty of not more than \$500.”

Subsecs. (i) to (l). Pub. L. 98-498, §211(c)(8), added subsecs. (i) to (l).

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-380 applicable to incidents occurring after Aug. 18, 1990, see section 1020 of Pub. L. 101-380, set out as an Effective Date note under section 2701 of Title 33, Navigation and Navigable Waters.

CHAPTER 35—CARRIAGE OF PASSENGERS

- Sec.
- 3501. Number of passengers.
- 3502. List or count of passengers.
- 3503. Fire-retardant materials.
- 3504. Notification to passengers.
- 3505. Prevention of departure.
- 3506. Copies of laws.
- 3507. Passenger vessel security and safety requirements<sup>1</sup>
- 3508. Crime scene preservation training for passenger vessel crewmembers<sup>1</sup>

HISTORICAL AND REVISION NOTES

Chapter 35 consolidates the laws that have specific application to the carriage of passengers. They provide special provisions for listing and counting the number of passengers on board a vessel, for notifying the general public of the safety standards that are applicable, and for related control measures.

AMENDMENTS

2010—Pub. L. 111-207, §3(b), July 27, 2010, 124 Stat. 2251, added items 3507 and 3508.

§ 3501. Number of passengers

(a) Each certificate of inspection issued to a vessel carrying passengers (except a ferry) shall include a statement on the number of passengers that the vessel is permitted to carry.

(b) The owner, charterer, managing operator, agent, master, or individual in charge of a vessel is liable to a person suing them for carrying more passengers than the number of passengers permitted by the certificate of inspection in an amount equal to—

- (1) passage money; and
- (2) \$100 for each passenger in excess of the number of passengers permitted.

(c) An owner, charterer, managing operator, agent, master, or individual in charge of a vessel that knowingly carries more passengers than the number of passengers permitted by the certificate of inspection also shall be fined not more than \$100, imprisoned for not more than 30 days, or both.

(d) The vessel also is liable in rem for a penalty under this section.

(e) An offshore supply vessel may not carry passengers except in an emergency.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 519; Pub. L. 99-36, §1(a)(2), May 15, 1985, 99 Stat. 67.)

<sup>1</sup> So in original. Probably should be followed by a period.

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
3501 .....	46:404-1 46:451 46:452 46:462

Section 3501 requires that a vessel carrying passengers, including a passenger vessel as well as a small passenger vessel (except a ferry), shall have on the certificate of inspection a statement as to the number of passengers the vessel is permitted to carry. It also provides penalties for carrying passengers in excess of the number permitted.

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-36, §1(a)(2)(A), struck out the comma after “(except a ferry)”.

Subsec. (c). Pub. L. 99-36, §1(a)(2)(B), substituted “carries more passengers than the number of passengers permitted by the certificate of inspection” for “violates subsection (b) of this section”.

EFFECTIVE DATE

Chapter effective Apr. 15, 1984, see section 2(g)(1) of Pub. L. 98-89, set out as a note under section 3101 of this title.

§ 3502. List or count of passengers

(a) The owner, charterer, managing operator, master, or individual in charge of the following categories of vessels carrying passengers shall keep a correct list of passengers received and delivered from day to day:

(1) vessels arriving from foreign ports (except at United States Great Lakes ports from Canadian Great Lakes ports).

(2) seagoing vessels in the coastwise trade.

(3) passenger vessels making voyages of more than 300 miles on the Great Lakes except from a Canadian to a United States port.

(b) The master of a vessel carrying passengers (except a vessel listed in subsection (a) of this section) shall keep a correct count of all passengers received and delivered.

(c) Lists and counts required under this section shall be open to the inspection of designated officials of the Coast Guard and the Customs Service at all times. The total number of passengers shall be provided to the Coast Guard when requested.

(d) This section applies to a foreign vessel arriving at a United States port.

(e) The owner, charterer, managing operator, master, or individual in charge of a passenger vessel failing to make a list or count of passengers as required by this section is liable to the United States Government for a civil penalty of \$100. The vessel also is liable in rem for the penalty.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 519.)

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
3502 .....	46:460 46:460a 46:461 46:462

Section 3502 is related to section 3501 and requires the listing or counting of passengers on certain vessels. This requirement applies to large as well as small passenger vessels when operating on the types of voyages