

2006—Subsecs. (g) to (i). Pub. L. 109-304, § 15(21), which directed amendment identical to that made by Pub. L. 109-241, was repealed by Pub. L. 110-181. See Construction of 2006 Amendment note below.

Pub. L. 109-241 redesignated the second subsec. (g), relating to electronic publishing of marine casualty reports, and subsec. (h) as subsecs. (h) and (i), respectively.

2002—Subsecs. (e), (f). Pub. L. 107-295, § 423(1), redesignated subsec. (e), relating to passenger vessel investigations, as subsec. (f).

Subsec. (g). Pub. L. 107-295, § 442(a), added subsec. (g) relating to electronic publishing of marine casualty reports.

Pub. L. 107-295, § 423(2), added subsec. (g) relating to applicability of this part to a foreign vessel involved in a marine casualty or incident.

Subsec. (h). Pub. L. 107-295, § 442(a), added subsec. (h). 1991—Subsec. (e). Pub. L. 102-241 added subsec. (e) relating to passenger vessel investigations.

1990—Subsec. (a)(5). Pub. L. 101-380, § 4106(b)(1), added par. (5).

Subsec. (d). Pub. L. 101-380, § 4106(b)(2), designated existing provisions as par. (1) and added par. (2).

1984—Subsec. (a). Pub. L. 98-498, § 212(b)(1)(A), struck out “and incidents” after “marine casualties” in provisions preceding par. (1).

Subsec. (b). Pub. L. 98-557 inserted provisions relating to alcohol as a contributing factor to the casualty.

Subsec. (c). Pub. L. 98-498, § 212(b)(1)(B), struck out subsec. (c) which related to determination of status of a vessel that may be lost or imperiled and notification of the Coast Guard.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-295, title IV, § 442(b), Nov. 25, 2002, 116 Stat. 2132, provided that: “The amendment made by subsection (a) [amending this section] applies to all marine casualty reports completed after the date of enactment of this Act [Nov. 25, 2002].”

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.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-498 effective 180 days after Oct. 1, 1984, see section 214 of Pub. L. 98-498, set out as an Effective Date note under section 2306 of this title.

CONSTRUCTION OF 2006 AMENDMENT

Provisions of Pub. L. 109-304 repealed by section 3529(c)(1) of Pub. L. 110-181 to be treated as if never enacted, see section 3529(c)(2) of Pub. L. 110-181, set out as a note under section 9504 of Title 26, Internal Revenue Code.

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.

§ 6102. State marine casualty reporting system

(a) The Secretary shall prescribe regulations for a uniform State marine casualty reporting system for vessels. Regulations shall prescribe the casualties to be reported and the manner of reporting. A State shall compile and submit to the Secretary reports, information, and statis-

tics on casualties reported to the State, including information and statistics concerning the number of casualties in which the use of alcohol contributed to the casualty.

(b) The Secretary shall collect, analyze, and publish reports, information, and statistics on marine casualties together with findings and recommendations the Secretary considers appropriate. If a State marine casualty reporting system provides that information derived from casualty reports (except statistical information) may not be publicly disclosed, or otherwise prohibits use by the State or any person in any action or proceeding against a person, the Secretary may use the information provided by the State only in the same way that the State may use the information.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 536; Pub. L. 98-557, § 7(b)(2), Oct. 30, 1984, 98 Stat. 2862.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
6102	46:1486

Section 6102(a) requires the Secretary to prescribe regulations for a uniform State marine casualty reporting system for vessels. The Secretary may limit the scope and types of casualties to be investigated and reported by the State. It also requires the State to submit to the Secretary reports, information, and statistics on casualties reported to the State.

Subsection (b) requires the Secretary to analyze the information that is received from the State. It also prohibits the Secretary from disclosing the information, proceeding against any person based on this information, or otherwise using the information, if the State cannot use the information in the same way.

AMENDMENTS

1984—Subsec. (a). Pub. L. 98-557 inserted provisions relating to alcohol as a contributing factor to the casualty.

PLAN TO INCREASE MARINE CASUALTY REPORTING

Pub. L. 104-324, title III, § 314(a), Oct. 19, 1996, 110 Stat. 3922, provided that: “Not later than one year after enactment of this Act [Oct. 19, 1996], the Secretary of Transportation shall, in consultation with appropriate State agencies, submit to the Committee on Resources [now Committee on Natural Resources] of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan to increase reporting of vessel accidents to appropriate State law enforcement officials.”

§ 6103. Penalty

(a) An owner, charterer, managing operator, agent, master, or individual in charge of a vessel failing to report a casualty as required under section 6101 of this title or a regulation prescribed under section 6101 or 6102 is liable to the United States Government for a civil penalty of not more than \$25,000.

(b) A person failing to comply with section 6104 of this title or a regulation prescribed under that section is liable to the Government for a civil penalty of not more than \$5,000.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 536; Pub. L. 98-498, title II, § 212(b)(2), Oct. 19, 1984, 98 Stat. 2306; Pub. L. 100-424, § 4(b), Sept. 9, 1988, 102 Stat. 1590; Pub. L. 104-324, title III, §§ 306(a), 314(b), Oct. 19, 1996, 110 Stat. 3918, 3922.)