

(1) may remove a certificate required by this title from a vessel that is operating in a condition that does not comply with the provisions of the certificate;

(2) may order the individual in charge of a vessel that is operating that does not have on board the certificate required by this title to return the vessel to a mooring and to remain there until the vessel is in compliance with this title; and

(3) may direct the individual in charge of a vessel to which this title applies to immediately take reasonable steps necessary for the safety of individuals on board the vessel if the official observes the vessel being operated in an unsafe condition that the official believes creates an especially hazardous condition, including ordering the individual in charge to return the vessel to a mooring and to remain there until the situation creating the hazard is corrected or ended.

(Added Pub. L. 111-281, title VI, § 608(a), Oct. 15, 2010, 124 Stat. 2967.)

§ 2118. Establishment of equipment standards

(a) In establishing standards for approved equipment required on vessels subject to part B of this subtitle, the Secretary shall establish standards that are—

(1) based on performance using the best available technology that is economically achievable; and

(2) operationally practical.

(b) Using the standards established under subsection (a), the Secretary may also certify life-saving equipment that is not required to be carried on vessels subject to part B of this subtitle to ensure that such equipment is suitable for its intended purpose.

(c) At least once every 10 years the Secretary shall review and revise the standards established under subsection (a) to ensure that the standards meet the requirements of this section.

(Added Pub. L. 111-281, title VI, § 608(a), Oct. 15, 2010, 124 Stat. 2968; amended Pub. L. 114-120, title III, § 306(a)(2), Feb. 8, 2016, 130 Stat. 54.)

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-120, § 306(a)(2)(A), substituted “subtitle,” for “title.”

Subsec. (b). Pub. L. 114-120, § 306(a)(2)(B), substituted “subtitle” for “title”.

CHAPTER 23—OPERATION OF VESSELS GENERALLY

Table with 2 columns: Sec. and Description. Rows include 2301. Application, 2302. Penalties for negligent operations and interfering with safe operation, 2303. Duties related to marine casualty assistance and information, 2303a. Post serious marine casualty alcohol testing, 2304. Duty to provide assistance at sea, 2305. Injunctions, 2306. Vessel reporting requirements, 2307. Limitation of liability for Coast Guard Vessel Traffic Service pilots and non-Federal vessel traffic service operators.

HISTORICAL AND REVISION NOTES

Chapter 23 lists requirements that relate to the general operation of all vessels. These include penalties

and injunctive relief for negligent operation of a vessel. It also provides penalties for failure to render assistance.

AMENDMENTS

2012—Pub. L. 112-213, title III, § 302(b), Dec. 20, 2012, 126 Stat. 1563, substituted “Limitation of liability for Coast Guard Vessel Traffic Service pilots and non-Federal vessel traffic service operators” for “Limitation of liability for Coast Guard Vessel Traffic Service pilots” in item 2307.

2002—Pub. L. 107-295, title IV, § 431(b), Nov. 25, 2002, 116 Stat. 2128, added item 2307.

1998—Pub. L. 105-383, title III, §§ 302(b), 304(d)(2), Nov. 13, 1998, 112 Stat. 3418, 3420, added item 2302, struck out former item 2302 “Penalties for negligent operations”, and added item 2303a.

1984—Pub. L. 98-498, title II, § 212(a)(1), Oct. 19, 1984, 98 Stat. 2305, added item 2306.

§ 2301. Application

Except as provided in sections 2304 and 2306 of this title, this chapter applies to a vessel operated on waters subject to the jurisdiction of the United States (including the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988) and, for a vessel owned in the United States, on the high seas.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 508; Pub. L. 98-498, title II, § 212(a)(2), Oct. 19, 1984, 98 Stat. 2305; Pub. L. 105-383, title III, § 301(b)(2), Nov. 13, 1998, 112 Stat. 3417; Pub. L. 109-304, § 15(7), Oct. 6, 2006, 120 Stat. 1702.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section and Source section (U.S. Code). Row 2301 46:480

Section 2301 provides that this chapter is applicable to all vessels, including foreign flag vessels, when operating on waters subject to the jurisdiction of the United States. Any vessel owned in the United States while operating on the high seas would be included. By ownership the Committee means those vessels that are documented or numbered under United States laws and those other vessels that are neither documented or numbered but are of national origin and are not documented under the laws of a foreign nation. This chapter is applicable to a foreign flag vessel that is in innocent passage through territorial waters of the United States, presently 3 miles seaward, whether or not it is bound to or from a port subject to the jurisdiction of the United States.

REFERENCES IN TEXT

Presidential Proclamation No. 5928, referred to in text, is set out under section 1331 of Title 43, Public Lands.

AMENDMENTS

2006—Pub. L. 109-304 substituted “sections 2304 and” for “section”.

1998—Pub. L. 105-383 inserted “(including the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988)” after “of the United States”.

1984—Pub. L. 98-498 substituted “Except as provided in section 2306 of this title, this chapter” for “This chapter”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-498 effective 180 days after Oct. 19, 1984, see section 214 of Pub. L. 98-498, set out as an Effective Date note under section 2306 of this title.