

Section 40 of the Arms Export Control Act, referred to in subsec. (g), is classified to section 2780 of Title 22, Foreign Relations and Intercourse.

AMENDMENTS

2014—Subsecs. (f), (g). Pub. L. 113-281 added subsec. (f) and redesignated former subsec. (f) as (g).

2012—Subsec. (b)(2)(C). Pub. L. 112-213, § 304(1), added subpar. (C).

Subsec. (d)(2)(C). Pub. L. 112-213, § 304(2), added subpar. (C).

Subsecs. (e), (f). Pub. L. 112-213, § 304(3), added subsecs. (e) and (f).

2010—Subsec. (c). Pub. L. 111-281, § 622(b), added par. (1) and struck out former par. (1) which read as follows: "A classification society (including an employee or agent of that society) may not review, examine, survey, or certify the construction, repair, or alteration of a vessel in the United States unless—

"(A) the society has applied for approval under this subsection and the Secretary has reviewed and approved that society with respect to the conduct of that society under paragraph (2); or

"(B) the society is a full member of the International Association of Classification Societies."

Subsec. (d). Pub. L. 111-281, § 622(a), added subsec. (d).

2004—Subsec. (c). Pub. L. 108-293 added subsec. (c).

1996—Pub. L. 104-324, § 607(b)(1), substituted "Classification societies" for "United States classification societies" in section catchline.

Subsec. (a). Pub. L. 104-324, § 607(a)(3), which directed the substitution of "American Bureau of Shipping" for "Bureau", was executed by making the substitution the first place appearing, to reflect the probable intent of Congress.

Pub. L. 104-324, § 607(a)(1), (2), redesignated subsec. (b) as (a) and struck out former subsec. (a) which read as follows: "In carrying out this part, the Secretary may rely on reports, documents, and certificates issued by the American Bureau of Shipping or a similar United States classification society, or an agent of the Bureau or society."

Subsec. (b). Pub. L. 104-324, § 607(a)(2), (4), redesignated subsec. (c) as (b), added pars. (1) and (2), redesignated former par. (2) as (3), and struck out former par. (1) which read as follows: "To the maximum extent practicable, the Secretary may delegate to the Bureau or a similar United States classification society, or an agent of the Bureau or society, the inspection or examination, in the United States or in a foreign country, of a vessel documented or to be documented as a vessel of the United States. The Bureau, society, or agent may issue the certificate of inspection required by this part and other certificates essential to documentation."

Former subsec. (b) redesignated (a).

Subsec. (c). Pub. L. 104-324, § 607(a)(2), redesignated subsec. (c) as (b).

Subsec. (d). Pub. L. 104-324, § 607(a)(1), struck out subsec. (d) which read as follows: "The Secretary also may make an agreement with or use the Bureau or a similar United States classification society, or an agent of the Bureau or society, for reviewing and approving plans required for issuing a certificate of inspection."

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-293, title IV, § 413(b), Aug. 9, 2004, 118 Stat. 1046, provided that: "Section 3316(c)(1) of title 46, United States Code, shall apply with respect to operation as a classification society on or after January 1, 2005."

EFFECTIVE DATE

Section 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.

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.

§ 3317. Fees

(a) The Secretary may prescribe by regulation fees for inspecting or examining a small passenger vessel or a sailing school vessel.

(b) When an inspection or examination under this part of a documented vessel or a foreign vessel is conducted at a foreign port or place at the request of the owner or managing operator of the vessel, the owner or operator shall reimburse the Secretary for the travel and subsistence expenses incurred by the personnel assigned to perform the inspection or examination. Amounts received as reimbursement for these expenses shall be credited to the appropriation for operating expenses of the Coast Guard.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 517; Pub. L. 102-587, title V, § 5211, Nov. 4, 1992, 106 Stat. 5076.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3317 .....	46:390a(b) 46:382b-1

Section 3317 provides the regulatory authority for prescribing fees for the inspection of small passenger vessels and sailing school vessels. Although section 2110 generally prohibits fees of this nature, this provision is consistent with the exception that permits specific statutory authorization for fee collection. Subsection (b) requires the reimbursement of expenses for the conduct of an inspection or examination at a foreign port or place when done there for the convenience of the owner or operator of the vessel.

AMENDMENTS

1992—Subsec. (b). Pub. L. 102-587 substituted "under this part of a documented vessel or a foreign vessel" for "under this chapter of a documented vessel".

EFFECTIVE DATE

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§ 3318. Penalties

(a) Except as otherwise provided in this part, the owner, charterer, managing operator, agent, master, or individual in charge of a vessel operated in violation of this part or a regulation prescribed under this part, and a person violating a regulation that applies to a small passenger vessel, freight vessel of less than 100 gross tons as measured under section 14502 of this title, or an