

abroad that offer the curriculum for training and certification under subsection (c).

(b) **MINIMUM STANDARDS.**—The standards established by the Secretary under subsection (a) shall include—

(1) the training and certification of vessel security personnel, crewmembers, and law enforcement officials in accordance with accepted law enforcement and security guidelines, policies, and procedures, including recommendations for incorporating a background check process for personnel trained and certified in foreign ports;

(2) the training of students and instructors in all aspects of prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment; and

(3) the provision or recognition of off-site training and certification courses in the United States and foreign countries to develop and provide the required training and certification described in subsection (a) and to enhance security awareness and security practices related to the preservation of evidence in response to crimes on board passenger vessels.

(c) **CERTIFICATION REQUIREMENT.**—Beginning 2 years after the standards are established under subsection (b), no vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who is certified as having successfully completed training in the prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment on passenger vessels under subsection (a).

(d) **INTERIM TRAINING REQUIREMENT.**—No vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who has been properly trained in the prevention detection, evidence preservation and the reporting requirements of criminal activities in the international maritime environment. The owner of a such a vessel shall maintain certification or other documentation, as prescribed by the Secretary, verifying the training of such individual and provide such documentation upon request for inspection in connection with enforcement of the provisions of this section. This subsection shall take effect 1 year after the date of enactment of the Cruise Vessel Safety and Security Act of 2010 and shall remain in effect until superseded by the requirements of subsection (c).

(e) **CIVIL PENALTY.**—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than \$50,000.

(f) **DENIAL OF ENTRY.**—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

(1) commits an act or omission for which a penalty may be imposed under subsection (e); or

(2) fails to pay a penalty imposed on the owner under subsection (e).

(Added Pub. L. 111–207, §3(a), July 27, 2010, 124 Stat. 2250.)

REFERENCES IN TEXT

The date of enactment of the Cruise Vessel Security and Safety Act of 2010, referred to in subsecs. (a) and (d), is the date of enactment of Pub. L. 111–207, which was approved July 27, 2010.

CHAPTER 37—CARRIAGE OF LIQUID BULK DANGEROUS CARGOES

Sec.	
3701.	Definitions.
3702.	Application.
3703.	Regulations.
3703a.	Tank vessel construction standards.
3704.	Coastwise trade vessels.
3705.	Crude oil tanker minimum standards.
3706.	Product carrier minimum standards.
3707.	Tanker minimum standards.
3708.	Self-propelled tank vessel minimum standards.
3709.	Exemptions.
3710.	Evidence of compliance by vessels of the United States.
3711.	Evidence of compliance by foreign vessels.
3712.	Notification of noncompliance.
3713.	Prohibited acts.
3714.	Inspection and examination.
3715.	Lightering.
3716.	Tank washings.
3717.	Marine safety information system.
3718.	Penalties.
3719.	Reduction of oil spills from single hull non-self-propelled tank vessels.

AMENDMENTS

2006—Pub. L. 109–304, §15(14), Oct. 6, 2006, 120 Stat. 1703, inserted “single hull” before “non-self-propelled” in item 3719.

1996—Pub. L. 104–324, title IX, §901(c), Oct. 19, 1996, 110 Stat. 3947, added item 3719.

1990—Pub. L. 101–380, title IV, §4115(c), Aug. 18, 1990, 104 Stat. 520, added item 3703a.

HISTORICAL AND REVISION NOTES

Chapter 37 consolidates the laws that are applicable to vessels that transport oil or hazardous material in bulk as cargo or cargo residue.

The history of Federal authority to carry out a tank vessel safety program begins with the enactment of the so-called Tank Vessel Act of 1936 which, as amended, is presently codified in section 391a of title 46, United States Code. The 1936 Act remained essentially the same until it was amended by the Ports and Waterways Safety Act of 1972. The 1972 amendment contained more specific standards for the protection of a tank vessel and its crew and added vessel standards to improve the quality of the marine environment. After a rash of tank vessel accidents during the latter part of 1976 and early 1977 within our territorial seas and in nearby coastal waters, there was an outpouring of public attention to the need to protect United States ports and waterways, for the safety of tank vessels, and for the protection of the marine environment. This led to the enactment of the Port and Tanker Safety Act of 1978, which provided broader and more extensive regulatory authority over areas already regulated and over many areas not previously regulated. It provided for improvements in the supervision and control of vessels of all types operating in the navigable waters of the United States, and in the safety of all tank vessels, foreign or domestic, that transport or transfer oil or hazardous cargoes in ports or places subject to the jurisdiction of the United States. The 1978 amendments also reflect, in part, certain tank vessel standards and requirements that have been accepted internationally, in particular those developed by the International Conference on