

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
7106	46:214(c) 46:225 46:226 46:228 46:229 46:229c

Section 7106 sets a 5 year time limit on the validity of a license. It also requires a licensed radio officer to be in continuous possession of an FCC license.

AMENDMENTS

2010—Pub. L. 111-281 amended section generally. Prior to amendment, text read as follows: “A license issued under this part is valid for 5 years and may be renewed for additional 5-year periods. However, the validity of a license issued to a radio officer is conditioned on the continuous possession by the holder of a first-class or second-class radiotelegraph operator license issued by the Federal Communications Commission.”

1990—Pub. L. 101-380 inserted “and may be renewed for additional 5-year periods” after “for 5 years”.

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.

TERMINATION OF EXISTING LICENSES, CERTIFICATES, AND DOCUMENTS; APPLICABILITY OF 1990 AMENDMENT

Pub. L. 101-380, title IV, §4102(d), Aug. 18, 1990, 104 Stat. 510, provided that: “A license, certificate of registry, or merchant mariner’s document issued before the date of the enactment of this section [Aug. 18, 1990] terminates on the day it would have expired if—

“(1) subsections (a), (b), and (c) [amending this section and sections 7107 and 7302 of this title] were in effect on the date it was issued; and

“(2) it was renewed at the end of each 5-year period under section 7106, 7107, or 7302 of title 46, United States Code.”

§ 7107. Duration of certificates of registry

(a) IN GENERAL.—A certificate of registry issued under this part is valid for a 5-year period and may be renewed for additional 5-year periods; except that the validity of a certificate issued to a medical doctor or professional nurse is conditioned on the continuous possession by the holder of a license as a medical doctor or registered nurse, respectively, issued by a State.

(b) ADVANCE RENEWALS.—A renewed certificate of registry issued under this part may be issued up to 8 months in advance but is not effective until the date that the previously issued certificate of registry expires or until the completion of any active suspension or revocation of that previously issued merchant mariner’s document, whichever is later.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 540; Pub. L. 101-380, title IV, §4102(b), Aug. 18, 1990, 104 Stat. 509; Pub. L. 111-281, title VI, §614(c), Oct. 15, 2010, 124 Stat. 2971.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
7107	46:243

Section 7107 specifies that there is no time limit on the validity of a certificate of registry issued to a medical doctor or a professional nurse but is conditioned on

the continuous possession of the appropriate license issued by a State.

AMENDMENTS

2010—Pub. L. 111-281 amended section generally. Prior to amendment, text read as follows: “A certificate of registry issued under this part is valid for 5 years and may be renewed for additional 5-year periods. However, the validity of a certificate issued to a medical doctor or professional nurse is conditioned on the continuous possession by the holder of a license as a medical doctor or registered nurse, respectively, issued by a State.”

1990—Pub. L. 101-380 substituted “is valid for 5 years and may be renewed for additional 5-year periods” for “is not limited in duration”.

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.

TERMINATION OF EXISTING LICENSES, CERTIFICATES, AND DOCUMENTS; APPLICABILITY OF 1990 AMENDMENT

For provisions that a certificate of registry issued before Aug. 18, 1990, terminates on the day it would have expired if the amendment to this section by Pub. L. 101-380 were in effect on date it was issued and was renewed at the end of each 5-year period under this section, see section 4102(d) of Pub. L. 101-380, set out as a note under section 7106 of this title.

§ 7108. Termination of licenses and certificates of registry

When the holder of a license or certificate of registry, the duration of which is conditioned under section 7106 or 7107 of this title, fails to hold the license required as a condition, the license or certificate of registry issued under this part is terminated.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 540.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
7108	46:229c 46:243

Section 7108 specifies if any individual issued a license or certificate of registry fails to have the required FCC or appropriate State medical license, the license or certificate is automatically terminated. The suspension and revocation procedures provided in chapter 77 are not applicable in these cases.

§ 7109. Review of criminal records

The Secretary may review the criminal record of each holder of a license or certificate of registry issued under this part who applies for renewal of that license or certificate of registry.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 540; Pub. L. 101-380, title IV, §4102(e)(1), Aug. 18, 1990, 104 Stat. 510.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
7109	46:225 46:233

Section 7109 authorizes the Secretary to renew licenses and certificates of registry for additional 5 year periods.