

(A) medical certification determinations for issuance of licences, certificates of registry, and merchant mariners' documents;

(B) medical standards and guidelines for the physical qualifications of operators of commercial vessels;

(C) medical examiner education; and

(D) medical research.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of 14 members, none of whom is a Federal employee, and shall include—

(A) ten who are health-care professionals with particular expertise, knowledge, or experience regarding the medical examinations of merchant mariners or occupational medicine; and

(B) four who are professional mariners with knowledge and experience in mariner occupational requirements.

(2) STATUS OF MEMBERS.—Members of the Committee shall not be considered Federal employees or otherwise in the service or the employment of the Federal Government, except that members shall be considered special Government employees, as defined in section 202(a) of title 18, United States Code, and shall be subject to any administrative standards of conduct applicable to the employees of the department in which the Coast Guard is operating.

(c) APPOINTMENTS; TERMS; VACANCIES.—

(1) APPOINTMENTS.—The Secretary shall appoint the members of the Committee, and each member shall serve at the pleasure of the Secretary.

(2) TERMS.—Each member shall be appointed for a term of five years, except that, of the members first appointed, three members shall be appointed for a term of two years.

(3) VACANCIES.—Any member appointed to fill the vacancy prior to the expiration of the term for which that member's predecessor was appointed shall be appointed for the remainder of that term.

(d) CHAIRMAN AND VICE CHAIRMAN.—The Secretary shall designate one member of the Committee as the Chairman and one member as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairman.

(e) COMPENSATION; REIMBURSEMENT.—Members of the Committee shall serve without compensation, except that, while engaged in the performance of duties away from their homes or regular places of business of the member, the member of the Committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5.

(f) STAFF; SERVICES.—The Secretary shall furnish to the Committee the personnel and services as are considered necessary for the conduct of its business.

(Added Pub. L. 111-281, title II, §210(a), Oct. 15, 2010, 124 Stat. 2913.)

FIRST MEETING

Pub. L. 111-281, title II, §210(b), Oct. 15, 2010, 124 Stat. 2914, provided that: "No later than six months after the

date of enactment of this Act [Oct. 15, 2010], the Merchant Mariner Medical Advisory Committee established by the amendment made by this section [enacting this section] shall hold its first meeting."

§ 7116. Examinations for merchant mariner credentials

(a) REQUIREMENT FOR SAMPLE EXAMS.—The Secretary shall develop a sample merchant mariner credential examination and outline of merchant mariner examination topics on an annual basis.

(b) PUBLIC AVAILABILITY.—Each sample examination and outline of topics developed under subsection (a) shall be readily available to the public.

(c) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term "merchant mariner credential" has the meaning that term has in section 7510.

(Added Pub. L. 114-120, title III, §315(b)(1), Feb. 8, 2016, 130 Stat. 62.)

CHAPTER 73—MERCHANT MARINERS' DOCUMENTS

Sec.	
7301.	General.
7302.	Issuing merchant mariners' documents and continuous discharge books.
7303.	Possession and description of merchant mariners' documents.
7304.	Citizenship notation on merchant mariners' documents.
7305.	Oaths for holders of merchant mariners' documents.
7306.	General requirements and classifications for able seamen.
7307.	Able seamen—unlimited.
7308.	Able seamen—limited.
7309.	Able seamen—special.
7310.	Able seamen—offshore supply vessels.
7311.	Able seamen—sail.
7311a.	Able seamen—fishing industry.
7312.	Scale of employment.
7313.	General requirements for members of engine departments.
7314.	Service requirements for qualified members of engine departments.
7315.	Training.
7316.	Lifeboatmen.
7317.	Tankermen.
7318.	Radiotelegraph operators on Great Lakes.
7319.	Records of merchant mariners' documents.

HISTORICAL AND REVISION NOTES

Chapter 73 establishes the general requirements for the issuance of a merchant mariners' document to those individuals who are required to have a document prior to engagement or employment on certain vessels of the United States.

AMENDMENTS

1984—Pub. L. 98-364, title IV, §402(9)(A), July 17, 1984, 98 Stat. 448, added item 7311a.

§ 7301. General

(a) In this chapter—

(1) "service on deck" means service in the deck department in work related to the work usually performed on board vessels by able seamen and may include service on fishing, fish processing, fish tender vessels and on public vessels of the United States;

(2) 360 days is equal to one year's service; and

(3) a day is equal to 8 hours of labor or duty.

(b) The Secretary may prescribe regulations to carry out this chapter.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 541; Pub. L. 98–364, title IV, §402(9)(B), July 17, 1984, 98 Stat. 448.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
7301 .....	46:672(c)

Section 7301 defines “service on deck”, “one year’s service” and “day” with respect to the qualifying time for the issuance of various types of endorsements as able seamen. This section also provides the Secretary with the authority to prescribe regulations to carry out this chapter.

AMENDMENTS

1984—Subsec. (a)(1). Pub. L. 98–364 substituted “fishing, fish processing, fish tender vessels” for “decked fishing vessels”.

MERCHANT MARINE POST-SERVICE CAREER OPPORTUNITIES

Pub. L. 113–281, title III, §305(d), Dec. 18, 2014, 128 Stat. 3044, provided that: “Not later than 180 days after the date of enactment of this Act [Dec. 18, 2014], the Commandant of the Coast Guard shall take steps to promote better awareness, on an ongoing basis, among Coast Guard personnel regarding post-service use of Coast Guard training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulations.”

**§ 7302. Issuing merchant mariners’ documents and continuous discharge books**

(a) The Secretary shall issue a merchant mariner’s document to an individual required to have that document under part F of this subtitle if the individual satisfies the requirements of this part. The document serves as a certificate of identification and as a certificate of service, specifying each rating in which the holder is qualified to serve on board vessels on which that document is required under part F.

(b) The Secretary also may issue a continuous discharge book to an individual issued a merchant mariner’s document if the individual requests.

(c) The Secretary may not issue a merchant mariner’s document under this chapter unless the individual applying for the document makes available to the Secretary, under section 30305(b)(5) of title 49, any information contained in the National Driver Register related to an offense described in section 30304(a)(3)(A) or (B) of title 49 committed by the individual.

(d) The Secretary may review the criminal record of an individual who applies for a merchant mariner’s document under this section.

(e) The Secretary shall require the testing of an individual applying for issuance or renewal of a merchant mariner’s document under this chapter for the use of a dangerous drug in violation of law or Federal regulation.

(f) PERIODS OF VALIDITY AND RENEWAL OF MERCHANT MARINERS’ DOCUMENTS.—

(1) IN GENERAL.—Except as provided in subsection (g), a merchant mariner’s document issued under this chapter is valid for a 5-year

period and may be renewed for additional 5-year periods.

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

(g)(1) The Secretary may, pending receipt and review of information required under subsections (c) and (d), immediately issue an interim merchant mariner’s document valid for a period not to exceed 120 days, to—

(A) an individual to be employed as gaming personnel, entertainment personnel, wait staff, or other service personnel on board a passenger vessel not engaged in foreign service, with no duties, including emergency duties, related to the navigation of the vessel or the safety of the vessel, its crew, cargo or passengers; or

(B) an individual seeking renewal of, or qualifying for a supplemental endorsement to, a valid merchant mariner’s document issued under this section.

(2) No more than one interim document may be issued to an individual under paragraph (1)(A) of this subsection.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 542; Pub. L. 101–380, title IV, §§4101(b), 4102(c), Aug. 18, 1990, 104 Stat. 509; Pub. L. 107–295, title III, §324(a), Nov. 25, 2002, 116 Stat. 2104; Pub. L. 108–293, title VI, §609(1), Aug. 9, 2004, 118 Stat. 1058; Pub. L. 109–241, title IX, §901(h)(1), (2), July 11, 2006, 120 Stat. 564; Pub. L. 111–281, title VI, §614(a), Oct. 15, 2010, 124 Stat. 2970.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
7302 .....	46:239a(c) 46:643(a) 46:643(c) 46:672(i)

Section 7302(a) requires the Secretary to issue a merchant mariner’s document to qualified individuals required to have that document as a prerequisite to employment on certain vessels of the United States. The purpose of the document is to serve as positive identification and to specify each rating in which the individual is qualified to serve on vessels.

Subsection (b) allows the Secretary to issue a continuous discharge book to an individual who requests a book.

AMENDMENTS

2010—Subsec. (f). Pub. L. 111–281 amended subsec. (f) generally. Prior to amendment, subsec. (f) read as follows: “Except as provided in subsection (g), a merchant mariner’s document issued under this chapter is valid for 5 years and may be renewed for additional 5-year periods.”

2006—Subsec. (c). Pub. L. 109–241, §901(h)(1), amended directory language of Pub. L. 108–293, §609(1). See 2004 Amendment note below.

Pub. L. 109–241, §901(h)(2), inserted “section” before “30305(b)(5)” and before “30304(a)(3)(A)”.

2004—Subsec. (c). Pub. L. 108–293, §609(1), as amended by Pub. L. 109–241, §901(h)(1), substituted “30305(b)(5) of title 49” for “section 206(b)(7) of the National Driver