

riety, 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.

PART III—RADIO INSTALLATIONS ON VESSELS
CARRYING PASSENGERS FOR HIRE

§ 381. Vessels transporting more than six passengers for hire required to be equipped with radiotelephone

Except as provided in section 382 of this title, it shall be unlawful for any vessel of the United States, transporting more than six passengers for hire, to be navigated in the open sea or any tidewater within the jurisdiction of the United States adjacent or contiguous to the open sea, unless such vessel is equipped with an efficient radiotelephone installation in operating condition.

(June 19, 1934, ch. 652, title III, § 381, as added Aug. 6, 1956, ch. 973, § 1, 70 Stat. 1047; amended Pub. L. 103-414, title III, § 303(a)(20)(A), Oct. 25, 1994, 108 Stat. 4295.)

AMENDMENTS

1994—Pub. L. 103-414 inserted section catchline.

EFFECTIVE DATE

Section 4 of act Aug. 6, 1956, provided that: “The amendments made herein [enacting this part and amending sections 153 and 504 of this title] shall take effect March 1, 1957.”

§ 382. Vessels excepted from radiotelephone requirement

The provisions of this part shall not apply to—

(1) vessels which are equipped with a radio installation in accordance with the provisions of part II of this subchapter, or in accordance with the radio requirements of the Safety Convention; and

(2) vessels of the United States belonging to and operated by the Government, and

(3) vessels navigating on the Great Lakes.

(June 19, 1934, ch. 652, title III, § 382, as added Aug. 6, 1956, ch. 973, § 1, 70 Stat. 1048; amended Pub. L. 103-414, title III, § 303(a)(20)(B), Oct. 25, 1994, 108 Stat. 4295; Pub. L. 104-104, title IV, § 403(h)(2), Feb. 8, 1996, 110 Stat. 131.)

REFERENCES IN TEXT

Part II of this subchapter, referred to in par. (1), is classified to section 351 et seq. of this title.

AMENDMENTS

1996—Par. (2). Pub. L. 104-104 struck out “except a vessel of the United States Maritime Administration, the Inland and Coastwise Waterways Service, or the Panama Canal Company,” after “the Government.”

1994—Pub. L. 103-414 inserted section catchline.

EFFECTIVE DATE

Section effective Mar. 1, 1957, see section 4 of act Aug. 6, 1956, set out as a note under section 381 of this title.

§ 383. Exemptions by Commission

The Commission shall exempt from the provisions of this part any vessel, or class of vessels, in the case of which the route or conditions of the voyage, or other conditions or circumstances, are such as to render a radio installa-

tion unreasonable, unnecessary, or ineffective, for the purposes of this chapter.

(June 19, 1934, ch. 652, title III, § 383, as added Aug. 6, 1956, ch. 973, § 1, 70 Stat. 1048; amended Pub. L. 103-414, title III, § 303(a)(20)(C), Oct. 25, 1994, 108 Stat. 4295.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act June 19, 1934, ch. 652, 48 Stat. 1064, known as the Communications Act of 1934, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 609 of this title and Tables.

AMENDMENTS

1994—Pub. L. 103-414 inserted section catchline.

EFFECTIVE DATE

Section effective Mar. 1, 1957, see section 4 of act Aug. 6, 1956, set out as a note under section 381 of this title.

§ 384. Authority of Commission; operations, installations, and additional equipment

The Commission shall have authority with respect to any vessel subject to this part—

(1) to specify operating and technical conditions and characteristics including frequencies, emissions, power, communication capability and range, of installations required by reason of this part;

(2) to approve the details as to the location and manner of installation of the equipment required by this part or of equipment necessitated by reason of the purposes and requirements of this part;

(3) to approve installations, apparatus and spare parts necessary to comply with the purposes and requirements of this part;

(4) to prescribe such additional equipment as may be determined to be necessary to supplement that specified herein for the proper functioning of the radio installation installed in accordance with this part or for the proper conduct of radio communication in time of emergency or distress.

(June 19, 1934, ch. 652, title III, § 384, as added Aug. 6, 1956, ch. 973, § 1, 70 Stat. 1048; amended Pub. L. 103-414, title III, § 303(a)(20)(D), Oct. 25, 1994, 108 Stat. 4295.)

AMENDMENTS

1994—Pub. L. 103-414 inserted section catchline.

EFFECTIVE DATE

Section effective Mar. 1, 1957, see section 4 of act Aug. 6, 1956, set out as a note under section 381 of this title.

§ 385. Inspections

The Commission or an entity designated by the Commission shall make such inspections as may be necessary to insure compliance with the requirements of this part. In accordance with such other provisions of law as apply to Government contracts, the Commission may enter into contracts with any person for the purpose of carrying out such inspections and certifying compliance with those requirements, and may, as part of any such contract, allow any such person to accept reimbursement from the license holder for travel and expense costs of any employee conducting an inspection or certification.