

that date and the vessel owner is meeting that schedule.

(e) A fishing vessel, fish processing vessel, or fish tender vessel to which section 4502(b) of this title applies that was classed before July 1, 2012 is not eligible to participate in an alternative safety compliance program prescribed under subsection (a) and,¹ shall—

(1) remain subject to the requirements of a classification society approved by the Secretary; and

(2) have on board a certificate from that society.

(f) For the purposes of this section, the term “built” has the meaning given that term in section 4503(f).

(Added and amended Pub. L. 115–282, title V, § 508(a), (c), Dec. 4, 2018, 132 Stat. 4272.)

CODIFICATION

Section, as added and amended by Pub. L. 115–282, is based on Pub. L. 111–281, title VI, § 604(e)(1)(C), Oct. 15, 2010, 124 Stat. 2966, as amended by Pub. L. 112–213, title III, § 305(c)(2), Dec. 20, 2012, 126 Stat. 1564, which was formerly classified to section 4503(d) of this title before being transferred and renumbered as this section.

AMENDMENTS

2018—Pub. L. 115–282, § 508(c)(2), inserted section designation and catchline before subsec. (a).

Pub. L. 115–282, § 508(a), (c)(1), renumbered section 4503(d) of this title as this section and redesignated pars. (1) to (5) thereof as subsecs. (a) to (e), respectively.

Subsec. (a). Pub. L. 115–282, § 508(c)(4), redesignated subpars. (A) to (C) as pars. (1) to (3), respectively.

Pub. L. 115–282, § 508(c)(3), in introductory provisions, substituted “Subject to subsection (c), beginning on the date that is 3 years after the date that the Secretary prescribes an alternate safety compliance program, a fishing vessel, fish processing vessel, or fish tender vessel to which section 4502(b) of this title applies shall comply with such an alternate safety compliance program, if” for “After January 1, 2020, a fishing vessel, fish processing vessel, or fish tender vessel to which section 4502(b) of this title applies shall comply with an alternate safety compliance program that is developed in cooperation with the commercial fishing industry and prescribed by the Secretary, if”.

Subsec. (b). Pub. L. 115–282, § 508(c)(5), substituted “prescribes an alternate safety compliance program under subsection (a), shall comply with such an alternate safety compliance program” for “establishes standards for an alternate safety compliance program, shall comply with such an alternative safety compliance program that is developed in cooperation with the commercial fishing industry and prescribed by the Secretary”.

Subsec. (c). Pub. L. 115–282, § 508(c)(6), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “Alternative safety compliance programs may be developed for purposes of paragraph (1) for specific regions and fisheries.”

Subsec. (d). Pub. L. 115–282, § 508(c)(7), substituted “subsection (a)” for “paragraph (1)” and, wherever appearing, “that subsection” for “that paragraph”.

Subsec. (e). Pub. L. 115–282, § 508(c)(8)(B), redesignated subpars. (A) and (B) as pars. (1) and (2), respectively.

Pub. L. 115–282, § 508(c)(8)(A), inserted “is not eligible to participate in an alternative safety compliance program prescribed under subsection (a) and” after “July 1, 2012” in introductory provisions.

Subsec. (f). Pub. L. 115–282, § 508(c)(9), added subsec. (f).

¹ So in original. Comma probably should appear after “2012” instead. See 2018 Amendment note below.

ALTERNATIVE SAFETY COMPLIANCE PROGRAM

Pub. L. 111–281, title VI, § 604(f), Oct. 15, 2010, 124 Stat. 2967, provided that: “No later than January 1, 2017, the Secretary of the department in which the Coast Guard is operating shall prescribe an alternative safety compliance program referred to in section 4503(d)(1) [now 46 U.S.C. 4503a(a)] of the [sic] title 46, United States Code, as amended by this section.”

§ 4504. Prohibited acts

A person may not operate a vessel in violation of this chapter or a regulation prescribed under this chapter.

(Added Pub. L. 98–364, title IV, § 402(7)(C), July 17, 1984, 98 Stat. 447; amended Pub. L. 100–424, § 2(a), Sept. 9, 1988, 102 Stat. 1587.)

AMENDMENTS

1988—Pub. L. 100–424 amended section generally, substituting “Prohibited acts” for “Penalties” in section catchline, and provisions prohibiting operation of vessel in violation of this chapter, for provisions which imposed civil penalty not more than \$1,000 for operation of vessel in violation of chapter, and liability in rem for penalty.

§ 4505. Termination of unsafe operations

An official authorized to enforce this chapter—

(1) may direct the individual in charge of a vessel to which this chapter applies to immediately take reasonable steps necessary for the safety of individuals on board the vessel if the official observes the vessel being operated in an unsafe condition that the official believes creates an especially hazardous condition, including ordering the individual in charge to return the vessel to a mooring and to remain there until the situation creating the hazard is corrected or ended; and

(2) may order the individual in charge of an uninspected fish processing vessel that does not have on board the certificate required under section 4503(a)(2) of this title to return the vessel to a mooring and to remain there until the vessel is in compliance with that section, except that this paragraph shall not apply with respect to a vessel to which section 4503a applies.

(Added Pub. L. 100–424, § 2(a), Sept. 9, 1988, 102 Stat. 1587; amended Pub. L. 115–282, title V, § 509, Dec. 4, 2018, 132 Stat. 4274.)

AMENDMENTS

2018—Par. (2). Pub. L. 115–282 substituted “4503(a)(2)” for “4503(1)” and inserted “, except that this paragraph shall not apply with respect to a vessel to which section 4503a applies” before period at end.

§ 4506. Exemptions

The Secretary may exempt a vessel from any part of this chapter if, under regulations prescribed by the Secretary (including regulations on special operating conditions), the Secretary finds that—

(1) good cause exists for granting an exemption; and

(2) the safety of the vessel and those on board will not be adversely affected.

(Added Pub. L. 100–424, § 2(a), Sept. 9, 1988, 102 Stat. 1587; amended Pub. L. 102–587, title V,