

those laws if their application is based on tonnage determined under chapter 143; and

“(B) a recommendation of the levels to which the tonnage thresholds in laws of the United States whose application is based on tonnage should be raised if a complete conversion to the International Convention measurement system under chapter 143 is made;

“(2) in conducting the study under clause (1) of this subsection, consult with representatives of the private sector having experience with the operation of vessels likely to be affected by laws of the United States whose application is based on tonnage; and

“(3) before July 19, 1988, submit to Congress an interim progress report on the study conducted under clause (1) of this subsection.”

§ 14302. Measurement

(a) The Secretary shall measure a vessel to which this chapter applies in the way provided by this chapter and the Convention.

(b) A vessel measured under this chapter may not be required to be measured under another law.

(c) Unless otherwise provided by law, the measurement of a vessel under this chapter applies to a law of the United States whose applicability depends on a vessel's tonnage, if that law—

(1) becomes effective after July 18, 1994; or

(2) is in effect before July 19, 1994, is not enumerated in section 14305 of this title, and is identified by the Secretary by regulation as a law to which this chapter applies.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1921; Pub. L. 111-281, title III, § 303(d), Oct. 15, 2010, 124 Stat. 2924.)

HISTORICAL AND REVISION NOTES

Revised section 14302

Source: International Convention on Tonnage Measurement of Ships.

Section 14302(a) requires the Secretary to measure a vessel to which this chapter applies, in the way provided by this chapter and by the Convention. Section 14302(b) provides that a vessel that is required to be measured under this chapter can not also be required to be measured under another law. The exception allows the Panama Canal Commission to continue to use the Canal measurement system for calculation of tolls. Section 14302(c) provides that the applicability of tonnage-based laws that become effective after July 18, 1994, will be based on Convention tonnage measurements. The applicability of tonnage-based laws in effect before July 19, 1994, which are listed by the Secretary, will also be based on Convention tonnage. Therefore, the laws that will be based on regulatory tonnage are those not listed by the Secretary by regulation and those listed in section 14305 of this legislation.

AMENDMENTS

2010—Subsec. (b). Pub. L. 111-281 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “Except as provided in section 1602(a) of the Panama Canal Act of 1979 (22 U.S.C. 3792(a)), a vessel measured under this chapter may not be required to be measured under another law.”

§ 14303. Tonnage Certificate

(a) After measuring a vessel under this chapter, the Secretary shall issue, on request of the owner, an International Tonnage Certificate (1969) and deliver it to the owner or master of the vessel. For a vessel to which the Convention

does not apply, the Secretary shall prescribe a certificate to be issued as evidence of a vessel's measurement under this chapter.

(b) The certificate issued under this section shall be maintained as required by the Secretary.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1921; Pub. L. 111-281, title III, § 303(e)(1), Oct. 15, 2010, 124 Stat. 2925.)

HISTORICAL AND REVISION NOTES

Revised section 14303

Source: International Convention on Tonnage Measurement of Ships.

Section 14303(a) requires the Secretary to issue, on the request of the owner, an International Tonnage Certificate after measuring a vessel under this chapter. Section 14303(b) requires that the certificate be maintained as required by the Secretary.

AMENDMENTS

2010—Pub. L. 111-281, § 303(e)(1)(C), struck out “International” before “Tonnage” and “(1969)” after “Certificate” in section catchline.

Subsec. (a). Pub. L. 111-281, § 303(e)(1)(A), inserted at end “For a vessel to which the Convention does not apply, the Secretary shall prescribe a certificate to be issued as evidence of a vessel's measurement under this chapter.”

Subsec. (b). Pub. L. 111-281, § 303(e)(1)(B), inserted “issued under this section” after “The certificate”.

§ 14304. Remeasurement

(a) To the extent necessary, the Secretary shall remeasure a vessel to which this chapter applies if—

(1) the Secretary or the owner alleges an error in its measurement; or

(2) the vessel or the use of its space is changed in a way that substantially affects its tonnage.

(b) Except as provided in this chapter or section 14504 of this title, a vessel that has been measured does not have to be remeasured to obtain another document or endorsement under chapter 121 of this title.

(Pub. L. 99-509, title V, § 5101(3), Oct. 21, 1986, 100 Stat. 1921.)

HISTORICAL AND REVISION NOTES

Revised section 14304

Source: International Convention on Tonnage Measurement of Ships.

Section 14304(a) requires the Secretary to remeasure a vessel, to the extent necessary, if there is an alleged error regarding its measurement or if the vessel or its use undergoes a change substantially affecting its tonnage. The phrase “to the extent necessary” was included to indicate that a complete remeasurement of the vessel may not be necessary if, for example, an error was made in one portion of the vessel's measurement and only that portion needs to be remeasured.

Section 14304(b) provides that except as provided in section 14504, a vessel that has been measured does not have to be remeasured to obtain another document or endorsement under chapter 121 of this title.

§ 14305. Optional regulatory measurement

(a) On request of the owner of a vessel measured under this chapter that is of United States registry or nationality, or a vessel operated under the authority of the United States, the Secretary also shall measure the vessel under