

Shipping Board (which was abolished in 1933) and presumably is not intended to apply to the Secretary.

AMENDMENTS

2015—Pub. L. 114-92 amended section generally. Prior to amendment, section related to annual reports to Congress.

§ 50112. National Maritime Enhancement Institutes

(a) DESIGNATION.—The Secretary of Transportation may designate National Maritime Enhancement Institutes.

(b) ACTIVITIES.—Activities undertaken by an institute may include—

- (1) conducting research about methods to improve the performance of maritime industries;
- (2) enhancing the competitiveness of domestic maritime industries in international trade;
- (3) forecasting trends in maritime trade;
- (4) assessing technological advancements;
- (5) developing management initiatives and training;
- (6) analyzing economic and operational impacts of regulatory policies and international negotiations or agreements pending before international bodies;
- (7) assessing the compatibility of domestic maritime infrastructure systems with overseas transport systems;
- (8) fostering innovations in maritime transportation pricing; and
- (9) improving maritime economics and finance.

(c) APPLICATION FOR DESIGNATION.—An institution seeking designation as a National Maritime Enhancement Institute shall submit an application under regulations prescribed by the Secretary.

(d) CRITERIA FOR DESIGNATION.—The Secretary shall designate an institute under this section on the basis of the following criteria:

- (1) The demonstrated research and extension resources available to the applicant for carrying out the activities specified in subsection (b).
- (2) The ability of the applicant to provide leadership in making national and regional contributions to the solution of both long-range and immediate problems of the domestic maritime industry.
- (3) The existence of an established program of the applicant encompassing research and training directed to enhancing maritime industries.
- (4) The demonstrated ability of the applicant to assemble and evaluate pertinent information from national and international sources and to disseminate results of maritime industry research and educational programs through a continuing education program.
- (5) The qualification of the applicant as a nonprofit institution of higher learning.

(e) FINANCIAL AWARDS.—The Secretary may make awards on an equal matching basis to an institute designated under subsection (a) from amounts appropriated. The aggregate annual amount of the Federal share of the awards by the Secretary may not exceed \$500,000.

(f) UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—The Secretary may make a grant under section 5505 of title 49 to an institute designated under subsection (a) for maritime and maritime intermodal research under that section as if the institute were a university transportation center. In making a grant, the Secretary, through the Office of the Assistant Secretary for Research and Technology of the Department of Transportation, shall advise the Maritime Administration on the availability of funds for the grants and consult with the Administration on making the grants.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1561; Pub. L. 113-76, div. L, title I, Jan. 17, 2014, 128 Stat. 574.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50112	46 App.:1121-2.	Pub. L. 101-115, §8, Oct. 13, 1989, 103 Stat. 694; Pub. L. 101-595, title VII, §702, Nov. 16, 1990, 104 Stat. 2994; Pub. L. 102-241, §47, Dec. 19, 1991, 105 Stat. 2227; Pub. L. 106-398, §1 [div. C, title XXXV, §3504], Oct. 30, 2000, 114 Stat. 1654, 1654A-493; Pub. L. 108-426, Nov. 30, 2004, §2(c)(4), 118 Stat. 2424.

CHANGE OF NAME

“Office of the Assistant Secretary for Research and Technology of the Department of Transportation” substituted for “Research and Innovative Technology Administration” in subsec. (f) on authority of title I of div. L of Pub. L. 113-76, set out in part as a note under former section 112 of Title 49, Transportation.

§ 50113. Use and performance reports by operators of vessels

(a) FILING REQUIREMENT.—The Secretary of Transportation by regulation may require the operator of a vessel in the waterborne foreign commerce of the United States to file such report, account, record, or memorandum on the use and performance of the vessel as the Secretary considers desirable to assist in carrying out this subtitle. The report, account, record, or memorandum shall be signed and verified, and be filed at the times and in the manner, as provided by regulation.

(b) CIVIL PENALTY.—An operator not filing a report, account, record, or memorandum required by the Secretary under this section is liable to the United States Government for a civil penalty of \$50 for each day of the violation. A penalty imposed under this section on the operator of a vessel constitutes a lien on the vessel involved in the violation. A civil action in rem to enforce the lien may be brought in the district court of the United States for any district in which the vessel is found. The Secretary may remit or mitigate any penalty imposed under this section.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1562.)