

vicinity of the Grand Banks of Newfoundland. The patrol shall inform trans-Atlantic and other passing vessels by radio and other available means of the ice conditions and the extent of the dangerous region. During the ice season, there shall be maintained a service of study of ice and current conditions, a service of providing assistance to vessels and crews requiring assistance, and a service of removing and destroying derelicts. Any of these services may be maintained during the remainder of the year as may be advisable.

(b) WARNINGS TO VESSELS.—The ice patrol shall warn any vessel known to be approaching a dangerous area and recommend safe routes.

(c) RECORDING AND REPORTING INCIDENTS.—

(1) RECORDING.—The ice patrol shall record the name of a vessel and the facts of the case when the patrol observes or knows that the vessel—

(A) is on other than a regular recognized or advertised route crossing the North Atlantic Ocean;

(B) has crossed the fishing banks of Newfoundland north of latitude 43 degrees north during the fishing season; or

(C) has passed through regions known or believed to be endangered by ice when proceeding to and from ports of North America.

(2) REPORTING.—The name of the vessel and all pertinent information about the incident shall be reported to the government of the country to which the vessel belongs if that government requests.

(d) ADMINISTRATION.—The Commandant, under the direction of the Secretary of the department in which the Coast Guard is operating, shall carry out the services provided for in this section and shall assign necessary aircraft, material, and personnel of the Coast Guard. On request of such Secretary, the head of an agency may detail personnel, lend or contribute material or equipment, or otherwise assist in carrying out the services provided for in this section.

(e) ANNUAL REPORT.—The Commandant shall publish an annual report of the activities of the services provided for in this section. A copy of the report shall be provided to each interested foreign government and to each agency assisting in the work.

(Pub. L. 109-304, §11, Oct. 6, 2006, 120 Stat. 1692; Pub. L. 113-281, title III, §314(a)(2), Dec. 18, 2014, 128 Stat. 3049; Pub. L. 115-232, div. C, title XXXV, §3541(b)(16), Aug. 13, 2018, 132 Stat. 2324.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 80302, 46 App.:738a, June 25, 1936, ch. 807, §2, 49 Stat. 1922; Pub. L. 89-670, §6(b)(1), Oct. 15, 1966, 80 Stat. 938.

In subsection (d), the words "Secretary of the department in which the Coast Guard is operating" are substituted for "Secretary of Transportation" because of the transfer of the Coast Guard to the Department of Homeland Security (except when operating as a service in the Navy) by section 888 of the Homeland Security Act of 2002 (Pub. L. 107-296, 116 Stat. 2249). See also sections 1 and 3 of title 14, as amended by section 1704(a) of such Act (116 Stat. 2314).

AMENDMENTS

2018—Subsec. (d). Pub. L. 115-232 struck out "of the Coast Guard" after "The Commandant".

2014—Subsec. (b). Pub. L. 113-281, §314(a)(2)(A), substituted "The ice patrol" for "An ice patrol vessel".

Subsec. (c)(1). Pub. L. 113-281, §314(a)(2)(B), substituted "The ice patrol" for "An ice patrol vessel" in introductory provisions.

Subsec. (d). Pub. L. 113-281, §314(a)(2)(C), substituted "aircraft" for "vessels".

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-281 effective Jan. 1, 2017, see section 314(c) of Pub. L. 113-281, set out as a note under section 80301 of this title.

§ 80303. Speed of vessel in ice region

(a) REQUIREMENT.—The master of a vessel of the United States, when ice is reported on or near the vessel's course, shall proceed at a moderate speed or change the course of the vessel to go well clear of the danger zone.

(b) CIVIL PENALTY.—A master violating this section is liable to the United States Government for a civil penalty of not more than \$500. (Pub. L. 109-304, §11, Oct. 6, 2006, 120 Stat. 1693.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 80303, 46 App.:738c, June 25, 1936, ch. 807, §4, 49 Stat. 1923.

In subsection (b), the words "liable to the United States Government for a civil penalty" are substituted for "liable to a fine" for clarity and for consistency in the revised title. The words "for each offense" are omitted as unnecessary.

§ 80304. Limitation on ice patrol data

Notwithstanding sections 80301 and 80302, data collected by an ice patrol conducted by the Coast Guard under this chapter may not be disseminated to a vessel unless such vessel is—

(1) documented under the laws of the United States; or

(2) documented under the laws of a foreign country that made the payment or contribution required under section 80301(b) for the year preceding the year in which the data is collected.

(Added Pub. L. 113-281, title III, §314(a)(3), Dec. 18, 2014, 128 Stat. 3049.)

EFFECTIVE DATE

Section effective Jan. 1, 2017, see section 314(c) of Pub. L. 113-281, set out as an Effective Date of 2014 Amendment note under section 80301 of this title.

CHAPTER 805—SAFE CONTAINERS FOR INTERNATIONAL CARGO

Table with 2 columns: Sec., Description. Rows include 80501. Definitions, 80502. Application of Convention, 80503. General authority of the Secretary, 80504. Approval and examination, 80505. Enforcement, 80506. Delegation of authority, 80507. Employee protection, 80508. Amendments to Convention, 80509. Civil penalty.

§ 80501. Definitions

In this chapter:

(1) CONTAINER.—The term “container” has the meaning given that term in the Convention.

(2) CONVENTION.—The term “Convention” means the International Convention for Safe Containers, and its annexes, done at Geneva, Switzerland, December 2, 1972.

(3) INTERNATIONAL TRANSPORT.—The term “international transport” means the transportation of a container between—

(A) a place in a foreign country and a place in the jurisdiction of the United States; or

(B) two places outside the United States by United States carriers.

(4) OWNER.—The term “owner” includes the lessee or bailee of a container if a written lease or bailment provides for the lessee or bailee to exercise the owner’s responsibility for maintaining and examining the container.

(5) SAFETY APPROVAL PLATE.—The term “safety approval plate” has the meaning given that term in annex I of the Convention.

(Pub. L. 109–304, §11, Oct. 6, 2006, 120 Stat. 1694.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
80501	46 App.:1501.	Pub. L. 95–208, §2, Dec. 13, 1977, 91 Stat. 1475.

In the definition of “international transport”, subparagraphs (A) and (B) are substituted for 46 App. U.S.C. 1501(d)(1)–(3) to eliminate unnecessary words.

In the definition of “owner”, the words “includes the lessee or bailee of a container if a written lease or bailment provides for the lessee or bailee to exercise the owner’s responsibility for maintaining and examining the container” are substituted for “means a person who owns a container, or, if a written lease or bailment provides for the lessee or bailee to exercise the owner’s responsibility for maintaining and examining the container, the lessee or bailee of a container, to the extent such agreement so provides” to eliminate unnecessary words.

The definition of “Secretary” is omitted because a complete reference to the appropriate Secretary is used the first time the Secretary is named in each section. Throughout this chapter, the phrase “Secretary of the department in which the Coast Guard is operating” is substituted for “Secretary of Transportation” because the Coast Guard has been transferred to the Department of Homeland Security (except when operating as a service in the Navy) by section 888 of the Homeland Security Act of 2002 (Pub. L. 107–296, 116 Stat. 2249).

The definition of “United States” is omitted because “United States” is defined in chapter 1 of the revised title. The definitions of “new container” and “existing container” are omitted as obsolete.

§ 80502. Application of Convention

The Convention applies to an owner of a container used in international transport if the owner is domiciled or has its principal office in the United States.

(Pub. L. 109–304, §11, Oct. 6, 2006, 120 Stat. 1694.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
80502	46 App.:1502(a) (related to application of Convention).	Pub. L. 95–208, §3(a) (related to application of Convention), Dec. 13, 1977, 91 Stat. 1476.

This section restates the applicability criteria of 46 App.:1502(a)(1) and (2) to improve the organization of the chapter.

§ 80503. General authority of the Secretary

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall carry out the Convention and this chapter in the United States.

(b) REGULATIONS.—The Secretary shall prescribe regulations to carry out this chapter. The regulations shall—

(1) establish procedures for testing, inspecting, and initially approving containers and designs for containers, including procedures for attaching, invalidating, and removing safety approval plates for containers;

(2) establish procedures to be followed by the owners of containers for the periodic examination of containers as provided in the Convention; and

(3) provide a method for developing, collecting, and disseminating information about container safety and the international transport of containers.

(c) SAFETY APPROVAL PLATES.—If the owner of a container without a safety approval plate establishes that the container satisfies the standards of the Convention, the Secretary may authorize a safety approval plate to be attached to the container.

(d) SCHEDULE OF FEES.—The Secretary may prescribe a schedule of fees for services performed by the Secretary, or by a person delegated authority under section 80506 of this title, for the testing, inspection, and initial approval of containers and container designs.

(e) ENCOURAGING INTERMODAL TRANSPORT.—To the maximum extent possible, the Secretary shall encourage the development and use of intermodal transport, using containers built to facilitate economical, safe, and expeditious handling of containerized cargo without intermediate reloading when it is being transported over land, air, and sea areas.

(Pub. L. 109–304, §11, Oct. 6, 2006, 120 Stat. 1694.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
80503(a)	46 App.:1503(a).	Pub. L. 95–208, §4(a), (b), (c)(1), (3), (e), Dec. 13, 1977, 91 Stat. 1476, 1477.
80503(b)	46 App.:1503(b).	
80503(c)	46 App.:1503(c)(1).	
80503(d)	46 App.:1503(c)(3).	
80503(e)	46 App.:1503(e).	

In subsection (a), the words “On and after the date the instrument of ratification is deposited by the United States in accordance with the provisions of article VII of the Convention,” and “and, unless an earlier date is specifically provided,” are omitted as obsolete.

In subsection (b), before paragraph (1), the words “as soon as practicable after December 13, 1977” are omitted as obsolete. The word “prescribe” is substituted for “promulgate, and from time to time, amend” for consistency in the revised title and with other titles of the United States Code and to eliminate unnecessary words. The words “he deems necessary for such enforcement” and “among other things” are omitted as unnecessary. In paragraph (1), the words “existing” and “new” are omitted as obsolete.

In subsections (c) and (d), the words “At any time after December 13, 1977” are omitted as obsolete.