

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|-----------------------------------|
| 7108 | 46:229c 46:243 |

Section 7108 specifies if any individual issued a license or certificate of registry fails to have the required FCC or appropriate State medical license, the license or certificate is automatically terminated. The suspension and revocation procedures provided in chapter 77 are not applicable in these cases.

§ 7109. Review of criminal records

The Secretary may review the criminal record of each holder of a license or certificate of registry issued under this part who applies for renewal of that license or certificate of registry.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 540; Pub. L. 101-380, title IV, §4102(e)(1), Aug. 18, 1990, 104 Stat. 510.)

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| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|-----------------------------------|
| 7109 | 46:225 46:233 |

Section 7109 authorizes the Secretary to renew licenses and certificates of registry for additional 5 year periods.

AMENDMENTS

1990—Pub. L. 101-380 substituted “Review of criminal records” for “Renewal of licenses” in section catchline and amended text generally. Prior to amendment, text read as follows: “A license issued under this part may be renewed for additional 5-year periods.”

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-380 applicable to incidents occurring after Aug. 18, 1990, see section 1020 of Pub. L. 101-380, set out as an Effective Date note under section 2701 of Title 33, Navigation and Navigable Waters.

§ 7110. Exhibiting licenses

Each holder of a license issued under this part shall display, within 48 hours after employment on a vessel for which that license is required, the license in a conspicuous place on the vessel.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 541.)

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| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|-----------------------------------|
| 7109 | 46:229f 46:232 |

Section 7110 requires licensed individuals to display the license in a conspicuous place on the vessel within 48 hours after they are employed.

§ 7111. Oral examinations for licenses

An individual may take an oral examination for a license to serve on a fishing, fish processing, or fish tender vessel not required to be inspected under part B of this subtitle.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 541; Pub. L. 98-364, title IV, §402(8)(B), July 17, 1984, 98 Stat. 447; Pub. L. 99-307, §1(10), May 19, 1986, 100 Stat. 445.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|-----------------------------------|
| 7109 | 46:224a(2) |

Section 7111 provides for oral tests for licenses for individuals on fishing vessels that are not required to be inspected under part B.

AMENDMENTS

1986—Pub. L. 99-307 substituted “part” for “Part”.
1984—Pub. L. 98-364 substituted in section catchline “Oral examinations for licenses” for “Licenses for fishing vessels not subject to inspection” and in text “An individual may take an oral examination for a license to serve on a fishing, fish processing, or fish tender vessel not required to be inspected under Part B of this subtitle” for “Examinations for licensing individuals on fishing vessels not required to be inspected under part B of this subtitle shall be oral”.

§ 7112. Licenses of masters or mates as pilots

A master or mate licensed under this part who also qualifies as a pilot is not required to hold 2 licenses. Instead, the qualification of the master or mate as pilot shall be endorsed on the master’s or mate’s license.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 541.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|-----------------------------------|
| 7112 | 46:230 |

Section 7112 provides for the endorsement of a master’s or mate’s license as a pilot if they meet those specifications. These individuals do not have to hold two separate licenses.

§ 7113. Exemption from draft

A licensed master, mate, pilot, or engineer of a vessel inspected under part B of this subtitle, propelled by machinery or carrying hazardous liquid cargoes in bulk, is not liable to draft in time of war, except for performing duties authorized by the license. When performing those duties in the service of the United States Government, the master, mate, pilot, or engineer is entitled to the highest rate of wages paid in the merchant marine of the United States for similar services. If killed or wounded when performing those duties, the master, mate, pilot, or engineer, or the heirs or legal representatives of the master, mate, pilot, or engineer, are entitled to all the privileges under the pension laws of the United States provided to members of the Armed Forces.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 541.)

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| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|-----------------------------------|
| 7113 | 46:225 |

Section 7113 exempts licensed masters, mates, pilots, and engineers of inspected vessels that are propelled by machinery or carrying hazardous liquid cargo from the Selective Service draft in time of war.

This section also provides that, while serving in that capacity during war, they shall be entitled to the highest rate of pay paid in the U.S. merchant marine for similar services.

If a master, mate, pilot, or engineer is killed or wounded when performing those duties during a war,

these individuals, their heirs or legal representatives, are entitled to all the privileges provided to members of the Armed Forces under the pension laws of the United States.

§ 7114. Fees

The Secretary may prescribe by regulation reasonable fees for the inspection of and the issuance of a certificate, license, or permit related to small passenger vessels and sailing school vessels.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 541.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 7114, 46:390a(b)

Section 7114 allows the Secretary to prescribe reasonable fees for the issuance of a certificate of inspection, license, or registry, or permits related to small passenger vessels and sailing school vessels.

[§ 7115. Repealed. Pub. L. 115-282, title VI, § 601(c)(2), Dec. 4, 2018, 132 Stat. 4289]

Section, added Pub. L. 111-281, title II, §210(a), Oct. 15, 2010, 124 Stat. 2913, established the Merchant Mariner Medical Advisory Committee. See section 15104 of this title.

§ 7116. Examinations for merchant mariner credentials

(a) REQUIREMENT FOR SAMPLE EXAMS.—The Secretary shall develop a sample merchant mariner credential examination and outline of merchant mariner examination topics on an annual basis.

(b) PUBLIC AVAILABILITY.—Each sample examination and outline of topics developed under subsection (a) shall be readily available to the public.

(c) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term “merchant mariner credential” has the meaning that term has in section 7510.

(Added Pub. L. 114-120, title III, §315(b)(1), Feb. 8, 2016, 130 Stat. 62.)

CHAPTER 73—MERCHANT MARINERS’ DOCUMENTS

Table with 2 columns: Sec., Description. Rows 7301-7314 covering general, issuing, possession, citizenship, oaths, requirements, and service requirements for engine departments.

Table with 2 columns: Sec., Description. Rows 7315-7319 covering Training, Lifeboatmen, Tankermen, Radiotelegraph operators, and Records of merchant mariners’ documents.

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Chapter 73 establishes the general requirements for the issuance of a merchant mariners’ document to those individuals who are required to have a document prior to engagement or employment on certain vessels of the United States.

AMENDMENTS

1984—Pub. L. 98-364, title IV, § 402(9)(A), July 17, 1984, 98 Stat. 448, added item 7311a.

§ 7301. General

(a) In this chapter—

(1) “service on deck” means service in the deck department in work related to the work usually performed on board vessels by able seamen and may include service on fishing, fish processing, fish tender vessels and on public vessels of the United States;

(2) 360 days is equal to one year’s service; and

(3) a day is equal to 8 hours of labor or duty.

(b) The Secretary may prescribe regulations to carry out this chapter.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 541; Pub. L. 98-364, title IV, § 402(9)(B), July 17, 1984, 98 Stat. 448.)

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Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 7301, 46:672(c)

Section 7301 defines “service on deck”, “one year’s service” and “day” with respect to the qualifying time for the issuance of various types of endorsements as able seamen. This section also provides the Secretary with the authority to prescribe regulations to carry out this chapter.

AMENDMENTS

1984—Subsec. (a)(1). Pub. L. 98-364 substituted “fishing, fish processing, fish tender vessels” for “decked fishing vessels”.

MERCHANT MARINE POST-SERVICE CAREER OPPORTUNITIES

Pub. L. 113-281, title III, §305(d), Dec. 18, 2014, 128 Stat. 3044, provided that: “Not later than 180 days after the date of enactment of this Act [Dec. 18, 2014], the Commandant of the Coast Guard shall take steps to promote better awareness, on an ongoing basis, among Coast Guard personnel regarding post-service use of Coast Guard training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulations.”

§ 7302. Issuing merchant mariners’ documents and continuous discharge books

(a) The Secretary shall issue a merchant mariner’s document to an individual required to have that document under part F of this subtitle if the individual satisfies the requirements of this part. The document serves as a certificate of identification and as a certificate of service, specifying each rating in which the holder is