

(c) REGULATIONS.—The Secretary may by regulation—

(1) prescribe the manner in which clearance under this section is to be obtained, including the documents, data, or information which shall be submitted or transmitted, pursuant to an authorized data interchange system, to obtain the clearance;

(2) permit clearance to be obtained before all requirements for clearance are complied with, but only if the owner or operator of the vessel files a bond in an amount set by the Secretary conditioned on the compliance by the owner or operator with all specified requirements for clearance within a time period (not exceeding 4 business days) established by the Secretary; and

(3) permit clearance to be obtained at a place other than a designated port of entry, under conditions the Secretary may prescribe.

(Pub. L. 109–304, §9(b), Oct. 6, 2006, 120 Stat. 1675.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60105	46 App.:91.	R.S. §4197; Aug. 5, 1935, ch. 438, title II, §209, 49 Stat. 526; June 16, 1938, ch. 476, §1, 52 Stat. 758; Sept. 1, 1954, ch. 1213, title V, §501(a), 68 Stat. 1140; Pub. L. 103–182, title VI, §686(b), Dec. 8, 1993, 107 Stat. 2221; Pub. L. 106–476, title I, §1452(a)(3), Nov. 9, 2000, 114 Stat. 2167.

The Secretary of Homeland Security is substituted for the Customs Service and for the Secretary of the Treasury because the functions of the Customs Service and of the Secretary of the Treasury relating thereto were transferred to the Secretary of Homeland Security by section 403(1) of the Homeland Security Act of 2002 (Pub. L. 107–296, 116 Stat. 2178).

§ 60106. State inspection laws

When State law requires a certificate of inspection for goods carried on a vessel, a vessel transporting the goods may not be cleared until the certificate is produced.

(Pub. L. 109–304, §9(b), Oct. 6, 2006, 120 Stat. 1676.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60106	46 App.:97.	R.S. §4202.

This section is substituted for the source provision to eliminate unnecessary words.

§ 60107. Payment of fees on departing vessel

A departing vessel may be cleared only when all legal fees that have accrued on the vessel are paid and proof of payment is presented to the individual granting the clearance.

(Pub. L. 109–304, §9(b), Oct. 6, 2006, 120 Stat. 1676.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60107	46 App.:100.	R.S. §4206.

This section is substituted for the source provision to eliminate unnecessary words.

§ 60108. Duty to transport tendered cargo

Clearance may be refused to a vessel or vehicle transporting cargo destined for a domestic or foreign port when the owner, master, or other individual in charge refuses to accept cargo tendered in good condition, with proper charges, for the same or an intermediate port by a citizen of the United States. This section does not apply if the vessel or vehicle is already fully loaded (giving appropriate consideration to its proper loading) or is not adaptable to transport the tendered cargo.

(Pub. L. 109–304, §9(b), Oct. 6, 2006, 120 Stat. 1676.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60108	46 App.:834.	Sept. 7, 1916, ch. 451, §36, 39 Stat. 738.

Only the word “cargo” is used, instead of “merchandise”, “freight”, and “cargo”, for consistency in the section.

§ 60109. Duty to transport money and securities of the United States Government

Before being given clearance, a vessel owned by a citizen of the United States and bound on a voyage from a port in the United States to another port in the United States or in a foreign country, or on a voyage from a port in a foreign country to a port in the United States, shall receive on board any bullion, coin, notes, bonds, or other securities of the United States Government that an agency, consular officer, or other agent of the Government offers. The vessel shall transport the items securely and deliver them promptly to the proper authorities or consignees on arriving at the port of destination. Compensation shall be paid for services provided under this section that is equal to compensation paid to other carriers in the ordinary transaction of business.

(Pub. L. 109–304, §9(b), Oct. 6, 2006, 120 Stat. 1676.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
60109	46 App.:98.	R.S. §4204; Apr. 5, 1906, ch. 1366, §3, 34 Stat. 100.

This section is substituted for the source provision to eliminate unnecessary words.

CHAPTER 603—TONNAGE TAXES AND LIGHT MONEY

- Sec.
- 60301. Regular tonnage taxes.
- 60302. Special tonnage taxes.
- 60303. Light money.
- 60304. Presidential suspension of tonnage taxes and light money.
- 60305. Vessels in distress.
- 60306. Vessels not engaged in trade.
- 60307. Vessels engaged in coastwise trade or the fisheries.
- 60308. Vessels engaged in Great Lakes trade.
- 60309. Passenger vessels making trips between ports of the United States and foreign ports.
- 60310. Vessels making daily trips on interior waters.
- 60311. Hospital vessels in time of war.
- 60312. Rights under treaties preserved.