

be, the corresponding title 46 provision. If a law enacted after that date is otherwise inconsistent with a title 46 provision or a provision of this title, that law supersedes the title 46 provision or provision of this title to the extent of the inconsistency.

“(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, a title 46 provision is deemed to have been enacted on the date of enactment of the source provision that the title 46 provision replaces.

“(d) REFERENCES TO TITLE 46 PROVISIONS.—A reference to a title 46 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding source provision.

“(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

“(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 46 provision.

“(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 46 provision.”

REPEALS AND SAVINGS PROVISIONS

Pub. L. 109-304, §19, Oct. 6, 2006, 120 Stat. 1710, as amended by Pub. L. 110-181, div. C, title XXXV, §3529(b)(1)(C), Jan. 28, 2008, 122 Stat. 603, repealed specified laws relating to shipping, except with respect to rights and duties that matured, penalties that were incurred, or proceedings that were begun before Oct. 6, 2006.

Pub. L. 100-710, title I, §106(a), Nov. 23, 1988, 102 Stat. 4752, provided that: “The repeal of a law by this title may not be construed as a legislative implication that the provision was or was not in effect before its repeal.”

Pub. L. 100-710, title I, §106(b), Nov. 23, 1988, 102 Stat. 4752, repealed specified laws relating to shipping, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before the effective date of this title, which is Jan. 1, 1989, with certain exceptions and qualifications, see section 107 of Pub. L. 100-710, set out as an Effective Date note under section 31301 of this title.

Pub. L. 99-509, title V, subtitle B, §5104(a), Oct. 21, 1986, 100 Stat. 1928, provided that: “The repeal of a law by this subtitle may not be construed as a legislative implication that the provision was or was not in effect before its repeal.”

Pub. L. 99-509, title V, subtitle B, §5104(b), Oct. 21, 1986, 100 Stat. 1928, repealed specified laws relating to shipping, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Oct. 21, 1986.

Pub. L. 98-89, §4(a), Aug. 26, 1983, 97 Stat. 599, provided that: “The repeal of a law by this Act may not be construed as a legislative implication that the provision was or was not in effect before its repeal.”

Pub. L. 98-89, §4(b), Aug. 26, 1983, 97 Stat. 599, repealed specified laws relating to shipping, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Aug. 26, 1983, and except as provided by section 2 of Pub. L. 98-89, set out as notes above and notes under sections 3101, 3302, 3715, and 6301 of this title.

RULE OF CONSTRUCTION

Pub. L. 115-282, title IV, §404, Dec. 4, 2018, 132 Stat. 4265, provided that: “This title [see Tables for classification], including the amendments made by this title, is intended only to transfer provisions of the Ports and Waterways Safety Act [Pub. L. 92-340, former 33 U.S.C. 1221 et seq.] to title 46, United States Code, and may not be construed to alter—

“(1) the effect of a provision of the Ports and Waterways Safety Act, including any authority or requirement therein;

“(2) a department or agency interpretation with respect to the Ports and Waterways Safety Act; or

“(3) a judicial interpretation with respect to the Ports and Waterways Safety Act.”

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Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXVI [LXXXVI], §8605(b)(4), Jan. 1, 2021, 134 Stat. 4765, struck out item for chapter 3 “Federal Maritime Commission”.

CHAPTER 1—DEFINITIONS

Sec. 101. Agency.
102. Barge.
103. Boundary Line.
104. Citizen of the United States.
105. Consular officer.
106. Documented vessel.
107. Exclusive economic zone.
108. Fisheries.
109. Foreign commerce or trade.
110. Foreign vessel.
111. Numbered vessel.
112. State.
113. Undocumented.
114. United States.
115. Vessel.
116. Vessel of the United States.

§ 101. Agency

In this title, the term “agency” means a department, agency, or instrumentality of the United States Government.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1486.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 101 shows (no source).

A definition of “agency” is added to avoid having to repeat the substance of the definition at various places in the revised title.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2019 AMENDMENT

Pub. L. 116-92, div. C, title XXXV, §3514(a), Dec. 20, 2019, 133 Stat. 1980, provided that: “This section [amending section 50302 of this title, enacting provisions set out as a note under section 50302 of this title, and amending provisions set out as notes under section 51318 of this title and section 9620 of Title 42, The Public Health and Welfare] may be cited as the ‘Ports Improvement Act’.”

SHORT TITLE OF 2018 AMENDMENT

Pub. L. 115-265, §1, Oct. 11, 2018, 132 Stat. 3742, provided that: “This Act [enacting section 6309 of this title, amending sections 2116, 3306, 3316, and 6101 of this title and sections 1952, 1954, and 1958 of Title 33, Navigation and Navigable Waters, and enacting provisions set