

(b) **MINIMUM STANDARDS.**—The standards established by the Secretary under subsection (a) shall include—

(1) the training and certification of vessel security personnel, crewmembers, and law enforcement officials in accordance with accepted law enforcement and security guidelines, policies, and procedures, including recommendations for incorporating a background check process for personnel trained and certified in foreign ports;

(2) the training of students and instructors in all aspects of prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment; and

(3) the provision or recognition of off-site training and certification courses in the United States and foreign countries to develop and provide the required training and certification described in subsection (a) and to enhance security awareness and security practices related to the preservation of evidence in response to crimes on board passenger vessels.

(c) **CERTIFICATION REQUIREMENT.**—No vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who is certified as having successfully completed training in the prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment on passenger vessels under subsection (a).

(d) **CIVIL PENALTY.**—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than \$50,000.

(e) **DENIAL OF ENTRY.**—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

(1) commits an act or omission for which a penalty may be imposed under subsection (d); or

(2) fails to pay a penalty imposed on the owner under subsection (d).

(Added Pub. L. 111–207, §3(a), July 27, 2010, 124 Stat. 2250; amended Pub. L. 115–232, div. C, title XXXV, §3543(b), Aug. 13, 2018, 132 Stat. 2324.)

Editorial Notes

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–232, §3543(b)(1), substituted “The Secretary” for “Within 1 year after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary” and “maintain” for “develop”.

Subsec. (c). Pub. L. 115–232, §3543(b)(2), substituted “No” for “Beginning 2 years after the standards are established under subsection (b), no”.

Subsec. (d). Pub. L. 115–232, §3543(b)(3), redesignated subsec. (e) as (d) and struck out former subsec. (d) which related to interim training requirement.

Subsec. (e). Pub. L. 115–232, §3543(b)(3), (4), redesignated subsec. (f) as (e) and substituted “subsection (d)” for “subsection (e)” in pars. (1) and (2). Former subsec. (e) redesignated (d).

Subsec. (f). Pub. L. 115–232, §3543(b)(3), redesignated subsec. (f) as (e).

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definition of “owner” as used in this section, see section 3507(l) of this title.

§ 3509. Medical standards

The owner of a vessel to which section 3507 applies shall ensure that—

(1) a physician is always present and available to treat any passengers who may be on board the vessel in the event of an emergency situation;

(2) the vessel is in compliance with the Health Care Guidelines for Cruise Ship Medical Facilities established by the American College of Emergency Physicians; and

(3) the initial safety briefing given to the passengers on board the vessel includes—

(A) the location of the vessel’s medical facilities; and

(B) the appropriate steps passengers should follow during a medical emergency.

(Added Pub. L. 116–283, div. G, title LVXXXIII [LXXXIII], §8322(a), Jan. 1, 2021, 134 Stat. 4702.)

CHAPTER 37—CARRIAGE OF LIQUID BULK DANGEROUS CARGOES

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3719.	Reduction of oil spills from single hull non-self-propelled tank vessels.

HISTORICAL AND REVISION NOTES

Chapter 37 consolidates the laws that are applicable to vessels that transport oil or hazardous material in bulk as cargo or cargo residue.

The history of Federal authority to carry out a tank vessel safety program begins with the enactment of the so-called Tank Vessel Act of 1936 which, as amended, is presently codified in section 391a of title 46, United States Code. The 1936 Act remained essentially the same until it was amended by the Ports and Waterways Safety Act of 1972. The 1972 amendment contained more specific standards for the protection of a tank vessel and its crew and added vessel standards to improve the quality of the marine environment. After a rash of tank vessel accidents during the latter part of 1976 and early 1977 within our territorial seas and in nearby coastal waters, there was an outpouring of public attention to the need to protect United States ports and waterways, for the safety of tank vessels, and for the protection of the marine environment. This led to the enactment of the Port and Tanker Safety Act of 1978, which provided broader and more extensive regulatory