

§ 11505. Disposal of forfeitures

(a) Money, property, and wages forfeited under this chapter for desertion may be applied to compensate the owner or master of the vessel for expenses caused by the desertion. The balance shall be transferred to the appropriate district court of the United States when the voyage is completed.

(b) If it appears to the district court that the forfeiture was imposed properly, the property transferred may be sold in the same manner prescribed for the disposition of the property of deceased seamen. The court shall deposit in the Treasury as miscellaneous receipts the proceeds of the sale and any money and wages transferred to the court.

(c) When an owner or master fails to transfer the balance as required under subsection (a) of this section, the owner or master is liable to the United States Government for a civil penalty of 2 times the amount of the balance, recoverable by the Secretary in the same manner that seaman's wages are recovered.

(d) In all other cases of forfeiture of wages, the forfeiture shall be for the benefit of the owner of the vessel.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 584; Pub. L. 103-206, title IV, §421, Dec. 20, 1993, 107 Stat. 2438.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 11505, 46:706

Section 11505 provides for the disposal of wages forfeited by deserting seamen.

Editorial Notes

AMENDMENTS

1993—Subsec. (a). Pub. L. 103-206, §421(1), substituted "The balance shall be transferred to the appropriate district court of the United States when the voyage is completed." for "The balance shall be transferred to the Secretary when the voyage is completed, as prescribed by the Secretary."

Subsec. (b). Pub. L. 103-206, §421(2), struck out at beginning "Within one month of receiving the balance under subsection (a) of this section, the Secretary shall transfer the balance to the appropriate district court of the United States."

§ 11506. Carrying sheath knives

A seaman in the merchant marine may not wear a sheath knife on board a vessel without the consent of the master. The master of a vessel of the United States shall inform each seaman of this prohibition before engagement. A master failing to advise a seaman is liable to the United States Government for a civil penalty of \$50.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 584.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 11506, 46:710

Section 11506 prohibits a merchant seaman from carrying a sheath knife without permission of the master, and penalizes a master who does not advise a seaman of this provision.

§ 11507. Surrender of offending officers

When an officer of a vessel of the United States (except the master) has violated section 2191 of title 18, and the master has actual knowledge of the offense or if complaint is made within 3 days after reaching port, the master shall surrender the offending officer to the proper authorities. If the master fails to use diligence to comply with this section and the offender escapes, the owner, the master, and the vessel are liable for damages to the individual unlawfully punished.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 584.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 11507, 46:712

Section 11507 requires a master of a vessel of the United States to surrender to the proper authorities any officer who has violated section 2191 of title 18 (which provides a penalty for cruelty to seamen by officers), and penalizes the master for noncompliance.

PART H—IDENTIFICATION OF VESSELS

CHAPTER 121—DOCUMENTATION OF VESSELS

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Sec.
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Editorial Notes

CODIFICATION

This chapter was originally enacted by Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 584, and amended by Pub. L. 98-364, July 17, 1984, 98 Stat. 440; Pub. L. 98-454, Oct. 5, 1984, 98 Stat. 1732; Pub. L. 99-36, May 15, 1985, 99 Stat. 67; Pub. L. 99-307, May 19, 1986, 100 Stat. 444; Pub. L. 99-509, Oct. 21, 1986, 100 Stat. 1874; Pub. L. 99-570, Oct. 27, 1986, 100 Stat. 3207; Pub. L. 100-239, Jan. 11, 1988, 101 Stat. 1778; Pub. L. 100-710, Nov. 23, 1988, 102 Stat. 4735; Pub. L. 101-225, Dec. 12, 1989, 103 Stat. 1908; Pub. L. 101-380, Aug. 18, 1990, 104 Stat. 484; Pub. L. 101-595, Nov. 16, 1990, 104 Stat. 2979; Pub. L. 102-388, Oct. 6, 1992, 106 Stat. 1520; Pub. L. 102-587, Nov. 4, 1992, 106 Stat. 5039; Pub. L. 104-208, Sept. 30, 1996, 110 Stat. 3009; Pub. L. 104-324, Oct. 19, 1996, 110 Stat. 3901; Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681; Pub. L. 105-383, Nov. 13, 1998, 112 Stat. 3411; Pub. L. 106-31, May 21, 1999, 113 Stat. 57; Pub. L. 107-20, July 24, 2001, 115 Stat. 155; Pub. L. 107-206, Aug. 2, 2002, 116 Stat. 820; Pub. L. 107-295, Nov. 25, 2002, 116 Stat. 2064; Pub. L. 108-136, Nov. 24, 2003, 117 Stat. 1392; Pub. L. 108-293, Aug. 9, 2004, 118 Stat. 1028; Pub. L. 109-241, July 11, 2006, 120 Stat. 516. This chapter is shown here, however, as having been enacted by Pub. L. 109-304, § 5, Oct. 6, 2006, 120 Stat. 1491, without reference to those intervening amendments because of the general amendment of this chapter by Pub. L. 109-304.

AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXIII [LXXXIII], § 8320(b), Jan. 1, 2021, 134 Stat. 4701, which directed amendment of “the analysis for subchapter I of chapter 121” of this title by adding at the end item 12108 “Authority to extend duration of vessel certificates”, was executed by adding item 12108 after item 12107 in this analysis to reflect the probable intent of Congress.

2012—Pub. L. 112-213, title III, § 308(b), Dec. 20, 2012, 126 Stat. 1566, added item 12140.

Statutory Notes and Related Subsidiaries

TRANSPARENCY

Pub. L. 115-282, title V, § 516(a), Dec. 4, 2018, 132 Stat. 4279, provided that: “The Commandant of the Coast Guard shall publish any letter of determination issued by the Coast Guard National Vessel Documentation Center after the date of the enactment of this Act [Dec. 4, 2018] on the National Vessel Documentation Center website not later than 30 days after the date of issuance of such letter of determination.”

SUBCHAPTER I—GENERAL

§ 12101. Definitions

(a) **REBUILT IN THE UNITED STATES.**—In this chapter, a vessel is deemed to have been rebuilt in the United States only if the entire rebuilding, including the construction of any major component of the hull or superstructure, was done in the United States.

(b) **RELATED TERMS IN OTHER LAWS.**—When the following terms are used in a law, regulation, document, ruling, or other official act referring to the documentation of a vessel, the following definitions apply:

(1) **REGISTRY ENDORSEMENT.**—The terms “certificate of registry”, “register”, and “registry” mean a certificate of documentation with a registry endorsement issued under this chapter.

(2) **COASTWISE ENDORSEMENT.**—The terms “license”, “enrollment and license”, “license for the coastwise (or coasting) trade”, and “enrollment and license for the coastwise (or coasting) trade” mean a certificate of documentation with a coastwise endorsement issued under this chapter.

(3) **YACHT.**—The term “yacht” means a recreational vessel even if not documented.
(Pub. L. 109-304, § 5, Oct. 6, 2006, 120 Stat. 1491.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
12101(a)	46:12101(a)(2), 46 App.:883 (2d proviso related to meaning of “re-built”).	June 5, 1920, ch. 250, § 27 (2d proviso related to meaning of “re-built”), 41 Stat. 999; July 2, 1935, ch. 355, 49 Stat. 442; July 14, 1956, ch. 600, § 1, 70 Stat. 544; Pub. L. 86-583, § 1, July 5, 1960, 74 Stat. 321; Pub. L. 100-239, § 6(c)(1), Jan. 11, 1988, 101 Stat. 1782.
12101(b)	46:12101(b).	

In subsection (a), the words “its territories” and “or its possessions” are omitted because of the definition of “United States” in chapter 1 of the revised title. The words “(not including trust territories)” are omitted because the Trust Territory of the Pacific Islands has terminated. See 48 U.S.C. 1681 note prec.

Editorial Notes

PRIOR PROVISIONS

A prior section 12101, Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 585; Pub. L. 98-364, title IV, § 402(16), July 17, 1984, 98 Stat. 450; Pub. L. 99-36, § 1(a)(7)(B), May 15, 1985, 99 Stat. 67; Pub. L. 100-239, § 3(2), (3), Jan. 11, 1988, 101 Stat. 1778; Pub. L. 101-225, title III, § 301(a)(1), Dec. 12, 1989, 103 Stat. 1920; Pub. L. 104-324, title XI, § 1115(b)(2), Oct. 19, 1996, 110 Stat. 3972, originally derived from section 65w of former Title 46, Shipping, related to definitions and related terms in other laws, prior to the general amendment of this chapter by Pub. L. 109-304. See this section and section 108 of this title.

§ 12102. Vessels requiring documentation

(a) **IN GENERAL.**—Except as otherwise provided, a vessel may engage in a trade only if the vessel has been issued a certificate of documentation with an endorsement for that trade under this chapter.

(b) **VESSELS LESS THAN 5 NET TONS.**—A vessel of less than 5 net tons may engage in a trade without being documented if the vessel otherwise satisfies the requirements to engage in the particular trade.

(c) **BARGES.**—A barge qualified to engage in the coastwise trade may engage in the coastwise trade, without being documented, on rivers, harbors, lakes (except the Great Lakes), canals, and inland waters.

(d) **AQUACULTURE WAIVER.**—

(1) **PERMITTING OF NONQUALIFIED VESSELS TO PERFORM CERTAIN AQUACULTURE SUPPORT OPERATIONS.**—Notwithstanding section 12113 and any other law, the Secretary of Transportation may issue a waiver allowing a documented vessel with a registry endorsement or a foreign flag vessel to be used in operations that treat aquaculture fish for or protect aquaculture fish from disease, parasitic infestation, or other threats to their health if the