

“(a) Amounts allocated to a State shall be available for obligation by that State for a period of 3 years after the date of allocation. Amounts unobligated by the State at the end of the 3 years shall be withdrawn by the Secretary and shall be available with other amounts to be allocated by the Secretary during that fiscal year.

“(b) Amounts available to the Secretary for State recreational boating safety programs that have not been allocated at the end of a fiscal year shall be carried forward as part of the total allocation of amounts for the next fiscal year that may be expended under this chapter.”

1986—Subsec. (b). Pub. L. 99-307 inserted “for State recreational boating safety programs” after “Secretary”.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2005 AMENDMENTS**

From Aug. 10, 2005, to end of fiscal year 2005, subsec. (a) of this section considered to read as immediately before enactment of Pub. L. 109-59, see section 101(b) of Pub. L. 109-74, set out as a note under section 777b of Title 16, Conservation.

Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 10102 of Pub. L. 109-59, set out as a note under section 777b of Title 16, Conservation.

**§ 13106. Computation decisions about State amounts expended**

(a) Consistent with regulations prescribed by the Secretary, the computation by a State of amounts expended for the State recreational boating safety program shall include—

- (1) the acquisition, maintenance, and operating costs of land, facilities, equipment, and supplies;
- (2) personnel salaries and reimbursable expenses;
- (3) the costs of training personnel;
- (4) public boat safety education;
- (5) the costs of carrying out the program; and
- (6) other expenses that the Secretary considers appropriate.

(b) The Secretary shall decide an issue arising out of the computation made under subsection (a) of this section.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 596, § 13105; Pub. L. 98-369, div. A, title X, § 1011(e), July 18, 1984, 98 Stat. 1013; Pub. L. 101-595, title III, § 312(c), Nov. 16, 1990, 104 Stat. 2987; renumbered § 13106, Pub. L. 109-304, § 16(b)(1), Oct. 6, 2006, 120 Stat. 1705.)

**HISTORICAL AND REVISION NOTES**

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
13105 .....	46:1478

Section 13105 prescribes what amounts expended or obligated by a State will be counted toward the State’s share. This section also authorizes the Secretary to settle any dispute over the computations required by this section.

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 13106 was renumbered section 13107 of this title.

**AMENDMENTS**

2006—Pub. L. 109-304 renumbered section 13105 of this title as this section.

1990—Subsec. (a). Pub. L. 101-595 struck out “or obligated” after “expended” in provisions preceding par. (1).

1984—Subsec. (a). Pub. L. 98-369 struck out “and facilities improvement” after “boating safety” in provisions preceding par. (1).

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 1984 AMENDMENT**

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

**§ 13107. Authorization of appropriations**

(a) Subject to subsection (c), the Secretary shall expend in each fiscal year for State recreational boating safety programs, under contracts with States under this chapter, an amount equal to the amount transferred to the Secretary under subsections (a)(2) and (f) of section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)(2) and (f)). The amount shall be allocated as provided under section 13104 of this title and shall be available for State recreational boating safety programs as provided under the guidelines established under subsection (b) of this section. Amounts authorized to be expended for State recreational boating safety programs shall remain available until expended and are deemed to have been expended only if an amount equal to the total amounts authorized to be expended under this section for the fiscal year in question and all prior fiscal years have been obligated. Amounts previously obligated but released by payment of a final voucher or modification of a program acceptance shall be credited to the balance of unobligated amounts and are immediately available for expenditure.

(b) The Secretary shall establish guidelines prescribing the purposes for which amounts available under this chapter for State recreational boating safety programs may be used. Those purposes shall include—

- (1) providing facilities, equipment, and supplies for boating safety education and law enforcement, including purchase, operation, maintenance, and repair;
- (2) training personnel in skills related to boating safety and to the enforcement of boating safety laws and regulations;
- (3) providing public boating safety education, including educational programs and lectures, to the boating community and the public school system;
- (4) acquiring, constructing, or repairing public access sites used primarily by recreational boaters;
- (5) conducting boating safety inspections and marine casualty investigations;
- (6) establishing and maintaining emergency or search and rescue facilities, and providing emergency or search and rescue assistance;
- (7) establishing and maintaining waterway markers and other appropriate aids to navigation; and
- (8) providing State recreational vessel numbering and titling programs.

(c)(1)(A) The Secretary may use amounts made available each fiscal year under section 4(b)(2) of