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70032.	Saint Lawrence Seaway.
70033.	Limitation on application to foreign vessels.
70034.	Regulations.
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SUBCHAPTER V—REGATTAS AND MARINE
PARADES

70041. Regattas and marine parades.

SUBCHAPTER VI—REGULATION OF VESSELS IN
TERRITORIAL WATERS OF THE UNITED STATES²

70051.	Regulation of anchorage and movement of vessels during national emergency.
70052.	Seizure and forfeiture of vessel; fine and imprisonment.
70053.	Enforcement provisions.
70054.	Definitions.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXIII [LXXXIII], § 8342(b), title LVXXXV, §§ 8501(b)(5), 8507(a)(3), 8508(2)(C), Jan. 1, 2021, 134 Stat. 4709, 4746, 4753, 4755, inserted “Sec.” before item 70001, added item 70006, and substituted “Conditions for entry into ports in the United States” for “Conditions for entry to ports in the united states” in item 70021, “SUBCHAPTER I” for “SUBCHAPTER A”, “SUBCHAPTER II” for “SUBCHAPTER B”, “SUBCHAPTER III” for “SUBCHAPTER C”, “SUBCHAPTER IV” and “SUBCHAPTER D”, “SUBCHAPTER V” for “SUBCHAPTER E”, and “SUBCHAPTER VI” for “SUBCHAPTER F”. Items 70014 and 70022 were added to this analysis after items 70013 and 70021, respectively, to reflect the probable intent of Congress, notwithstanding errors in directory language.

2018—Pub. L. 115-282, title IV, §§ 406(b), 407(e), Dec. 4, 2018, 132 Stat. 4266, 4267, added items for subchapters E and F and items 70041 and 70051 to 70054.

SUBCHAPTER I—VESSEL OPERATIONS

§ 70001. Vessel traffic services

(a) IN GENERAL.—Subject to the requirements of section 70004, the Secretary—

(1) in any port or place under the jurisdiction of the United States, in the navigable waters of the United States, or in any area covered by an international agreement negotiated pursuant to section 70005, may construct, operate, maintain, improve, or expand vessel traffic services, that consist of measures for controlling or supervising vessel traffic or for protecting navigation and the marine environment and that may include one or more of reporting and operating requirements, surveillance and communications systems, routing systems, and fairways;

(2) shall require appropriate vessels that operate in an area of a vessel traffic service to utilize or comply with that service;

(3) may require vessels to install and use specified navigation equipment, communications equipment, electronic relative motion analyzer equipment, or any electronic or other device necessary to comply with a vessel traffic service or that is necessary in the interests of vessel safety, except that the Secretary shall not require fishing vessels under 300 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under sec-

tion 14104, or recreational vessels 65 feet or less to possess or use the equipment or devices required by this subsection solely under the authority of this chapter;

(4) may control vessel traffic in areas subject to the jurisdiction of the United States that the Secretary determines to be hazardous, or under conditions of reduced visibility, adverse weather, vessel congestion, or other hazardous circumstances, by—

(A) specifying times of entry, movement, or departure;

(B) establishing vessel traffic routing schemes;

(C) establishing vessel size, speed, or draft limitations and vessel operating conditions; and

(D) restricting operation, in any hazardous area or under hazardous conditions, to vessels that have particular operating characteristics or capabilities that the Secretary considers necessary for safe operation under the circumstances;

(5) may require the receipt of prearrival messages from any vessel, destined for a port or place subject to the jurisdiction of the United States, in sufficient time to permit advance vessel traffic planning before port entry, which shall include any information that is not already a matter of record and that the Secretary determines necessary for the control of the vessel and the safety of the port or the marine environment; and

(6) may prohibit the use on vessels of electronic or other devices that interfere with communication and navigation equipment, except that such authority shall not apply to electronic or other devices certified to transmit in the maritime services by the Federal Communications Commission and used within the frequency bands 157.1875–157.4375 MHz and 161.7875–162.0375 MHz.

(b) NATIONAL POLICY.—

(1) ESTABLISHMENT AND UPDATE OF NATIONAL POLICY.—

(A) ESTABLISHMENT OF POLICY.—Not later than one year after the date of enactment of this section, the Secretary shall establish a national policy which is inclusive of local variances permitted under subsection (c), to be applied to all vessel traffic service centers and publish such policy in the Federal Register.

(B) UPDATE.—The Secretary shall periodically update the national policy established under subparagraph (A) and shall publish such update in the Federal Register or on a publicly available website.

(2) ELEMENTS.—The national policy established and updated under paragraph (1) shall include, at a minimum, the following:

(A) Standardization of titles, roles, and responsibilities for all personnel assigned, working, or employed in a vessel traffic service center.

(B) Standardization of organizational structure within vessel traffic service centers, to include supervisory and reporting chain and processes.

(C) Establishment of directives for the application of authority provided to each ves-