

specifications. These individuals do not have to hold two separate licenses.

§ 7113. Exemption from draft

A licensed master, mate, pilot, or engineer of a vessel inspected under part B of this subtitle, propelled by machinery or carrying hazardous liquid cargoes in bulk, is not liable to draft in time of war, except for performing duties authorized by the license. When performing those duties in the service of the United States Government, the master, mate, pilot, or engineer is entitled to the highest rate of wages paid in the merchant marine of the United States for similar services. If killed or wounded when performing those duties, the master, mate, pilot, or engineer, or the heirs or legal representatives of the master, mate, pilot, or engineer, are entitled to all the privileges under the pension laws of the United States provided to members of the Armed Forces.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 541.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 7113, 46:225

Section 7113 exempts licensed masters, mates, pilots, and engineers of inspected vessels that are propelled by machinery or carrying hazardous liquid cargo from the Selective Service draft in time of war.

This section also provides that, while serving in that capacity during war, they shall be entitled to the highest rate of pay paid in the U.S. merchant marine for similar services.

If a master, mate, pilot, or engineer is killed or wounded when performing those duties during a war, these individuals, their heirs or legal representatives, are entitled to all the privileges provided to members of the Armed Forces under the pension laws of the United States.

§ 7114. Fees

The Secretary may prescribe by regulation reasonable fees for the inspection of and the issuance of a certificate, license, or permit related to small passenger vessels and sailing school vessels.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 541.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 7114, 46:390a(b)

Section 7114 allows the Secretary to prescribe reasonable fees for the issuance of a certificate of inspection, license, or registry, or permits related to small passenger vessels and sailing school vessels.

[§ 7115. Repealed. Pub. L. 115-282, title VI, § 601(c)(2), Dec. 4, 2018, 132 Stat. 4289]

Section, added Pub. L. 111-281, title II, §210(a), Oct. 15, 2010, 124 Stat. 2913, established the Merchant Mariner Medical Advisory Committee. See section 15104 of this title.

§ 7116. Examinations for merchant mariner credentials

(a) REQUIREMENT FOR SAMPLE EXAMS.—The Secretary shall develop a sample merchant mariner credential examination and outline of mer-

chant mariner examination topics on an annual basis.

(b) PUBLIC AVAILABILITY.—Each sample examination and outline of topics developed under subsection (a) shall be readily available to the public.

(c) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term “merchant mariner credential” has the meaning that term has in section 7510.

(Added Pub. L. 114-120, title III, §315(b)(1), Feb. 8, 2016, 130 Stat. 62.)

CHAPTER 73—MERCHANT MARINERS' DOCUMENTS

- Sec. 7301. General.
7302. Issuing merchant mariners' documents and continuous discharge books.
7303. Possession and description of merchant mariners' documents.
7304. Citizenship notation on merchant mariners' documents.
7305. Oaths for holders of merchant mariners' documents.
7306. General requirements and classifications for able seamen.
7307. Able seamen—unlimited.
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7310. Able seamen—offshore supply vessels.
7311. Able seamen—sail.
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7312. Scale of employment.
7313. General requirements for members of engine departments.
7314. Service requirements for qualified members of engine departments.
7315. Training.
7316. Lifeboatmen.
7317. Tankermen.
7318. Radiotelegraph operators on Great Lakes.
7319. Records of merchant mariners' documents.

HISTORICAL AND REVISION NOTES

Chapter 73 establishes the general requirements for the issuance of a merchant mariners' document to those individuals who are required to have a document prior to engagement or employment on certain vessels of the United States.

Editorial Notes

AMENDMENTS

1984—Pub. L. 98-364, title IV, §402(9)(A), July 17, 1984, 98 Stat. 448, added item 7311a.

§ 7301. General

(a) In this chapter—

(1) “service on deck” means service in the deck department in work related to the work usually performed on board vessels by able seamen and may include service on fishing, fish processing, fish tender vessels and on public vessels of the United States;

(2) 360 days is equal to one year's service; and

(3) a day is equal to 8 hours of labor or duty.

(b) The Secretary may prescribe regulations to carry out this chapter.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 541; Pub. L. 98-364, title IV, §402(9)(B), July 17, 1984, 98 Stat. 448.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
7301 .....	46:672(c)

Section 7301 defines “service on deck”, “one year’s service” and “day” with respect to the qualifying time for the issuance of various types of endorsements as able seamen. This section also provides the Secretary with the authority to prescribe regulations to carry out this chapter.

**Editorial Notes**

AMENDMENTS

1984—Subsec. (a)(1). Pub. L. 98-364 substituted “fishing, fish processing, fish tender vessels” for “decked fishing vessels”.

**Statutory Notes and Related Subsidiaries**

MERCHANT MARINE POST-SERVICE CAREER OPPORTUNITIES

Pub. L. 113-281, title III, §305(d), Dec. 18, 2014, 128 Stat. 3044, provided that: “Not later than 180 days after the date of enactment of this Act [Dec. 18, 2014], the Commandant of the Coast Guard shall take steps to promote better awareness, on an ongoing basis, among Coast Guard personnel regarding post-service use of Coast Guard training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulations.”

**§ 7302. Issuing merchant mariners’ documents and continuous discharge books**

(a) The Secretary shall issue a merchant mariner’s document to an individual required to have that document under part F of this subtitle if the individual satisfies the requirements of this part. The document serves as a certificate of identification and as a certificate of service, specifying each rating in which the holder is qualified to serve on board vessels on which that document is required under part F.

(b) The Secretary also may issue a continuous discharge book to an individual issued a merchant mariner’s document if the individual requests.

(c) The Secretary may not issue a merchant mariner’s document under this chapter unless the individual applying for the document makes available to the Secretary, under section 30305(b)(5) of title 49, any information contained in the National Driver Register related to an offense described in section 30304(a)(3)(A) or (B) of title 49 committed by the individual.

(d) The Secretary may review the criminal record of an individual who applies for a merchant mariner’s document under this section.

(e) The Secretary shall require the testing of an individual applying for issuance or renewal of a merchant mariner’s document under this chapter for the use of a dangerous drug in violation of law or Federal regulation.

**(f) PERIODS OF VALIDITY AND RENEWAL OF MERCHANT MARINERS’ DOCUMENTS.—**

(1) IN GENERAL.—Except as provided in subsection (g), a merchant mariner’s document issued under this chapter is valid for a 5-year period and may be renewed for additional 5-year periods.

(2) ADVANCE RENEWALS.—A renewed merchant mariner’s document may be issued

under this chapter up to 8 months in advance but is not effective until the date that the previously issued merchant mariner’s document expires or until the completion of any active suspension or revocation of that previously issued merchant mariner’s document, whichever is later.

(g)(1) The Secretary may, pending receipt and review of information required under subsections (c) and (d), immediately issue an interim merchant mariner’s document valid for a period not to exceed 120 days, to—

(A) an individual to be employed as gaming personnel, entertainment personnel, wait staff, or other service personnel on board a passenger vessel not engaged in foreign service, with no duties, including emergency duties, related to the navigation of the vessel or the safety of the vessel, its crew, cargo or passengers; or

(B) an individual seeking renewal of, or qualifying for a supplemental endorsement to, a valid merchant mariner’s document issued under this section.

(2) No more than one interim document may be issued to an individual under paragraph (1)(A) of this subsection.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 542; Pub. L. 101-380, title IV, §§4101(b), 4102(c), Aug. 18, 1990, 104 Stat. 509; Pub. L. 107-295, title III, §324(a), Nov. 25, 2002, 116 Stat. 2104; Pub. L. 108-293, title VI, §609(1), Aug. 9, 2004, 118 Stat. 1058; Pub. L. 109-241, title IX, §901(h)(1), (2), July 11, 2006, 120 Stat. 564; Pub. L. 111-281, title VI, §614(a), Oct. 15, 2010, 124 Stat. 2970.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
7302 .....	46:239a(c) 46:643(a) 46:643(c) 46:672(i)

Section 7302(a) requires the Secretary to issue a merchant mariner’s document to qualified individuals required to have that document as a prerequisite to employment on certain vessels of the United States. The purpose of the document is to serve as positive identification and to specify each rating in which the individual is qualified to serve on vessels.

Subsection (b) allows the Secretary to issue a continuous discharge book to an individual who requests a book.

**Editorial Notes**

AMENDMENTS

2010—Subsec. (f). Pub. L. 111-281 amended subsec. (f) generally. Prior to amendment, subsec. (f) read as follows: “Except as provided in subsection (g), a merchant mariner’s document issued under this chapter is valid for 5 years and may be renewed for additional 5-year periods.”

2006—Subsec. (c). Pub. L. 109-241, §901(h)(1), amended directory language of Pub. L. 108-293, §609(1). See 2004 Amendment note below.

Pub. L. 109-241, §901(h)(2), inserted “section” before “30305(b)(5)” and before “30304(a)(3)(A)”.

2004—Subsec. (c). Pub. L. 108-293, §609(1), as amended by Pub. L. 109-241, §901(h)(1), substituted “30305(b)(5) of title 49” for “section 206(b)(7) of the National Driver Register Act of 1982 (23 U.S.C. 401 note)” and “30304(a)(3)(A) or (B) of title 49” for “section 205(a)(3)(A) or (B) of that Act”.