

(4)(A), (8)(B), is the date of enactment of Pub. L. 114-120, which was approved Feb. 8, 2016.

The Federal Advisory Committee Act, referred to in subsec. (c)(9), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2021—Subsec. (c)(8)(B). Pub. L. 116-283, §8505(b)(7)(A), substituted “merchant mariner” for “merchant seamen”.

Subsec. (d). Pub. L. 116-283, §8505(b)(7)(B), substituted “merchant mariner license” for “merchant seaman license”.

2018—Subsec. (c)(1). Pub. L. 115-232 substituted “Commandant” for “Commandant of the Coast Guard” in introductory provisions.

Subsec. (c)(1)(C). Pub. L. 115-282 inserted “National” before “Merchant Marine”.

2016—Subsec. (c)(1). Pub. L. 114-328, §3503(a), in introductory provisions, substituted “Coast Guard Authorization Act of 2016” for “Coast Guard Authorization Act of 2015”.

Subsec. (c)(1)(D). Pub. L. 114-328, §3503(b)(1)(A), substituted “engineer” for “engine”.

Subsec. (c)(4)(A), (8)(B). Pub. L. 114-328, §3503(a), substituted “Coast Guard Authorization Act of 2016” for “Coast Guard Authorization Act of 2015”.

Subsec. (c)(9). Pub. L. 114-328, §3503(b)(1)(B), inserted a period after “App”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2016 AMENDMENT

Amendment by Pub. L. 114-328 effective as if included in the enactment of Pub. L. 114-120, see section 3503(e) of Pub. L. 114-328, set out as a note under section 315 of Title 14, Coast Guard.

DISCLOSURE TO CONGRESS

Pub. L. 114-120, title III, §315(c), Feb. 8, 2016, 130 Stat. 62, provided that: “Nothing in this section [enacting this section and section 7116 of this title] may be construed to authorize the withholding of information from an appropriate inspector general, the Committee on Commerce, Science, and Transportation of the Senate, or the Committee on Transportation and Infrastructure of the House of Representatives.”

CHAPTER 77—SUSPENSION AND REVOCATION

Table with 2 columns: Sec. and description. Rows include 7701. General, 7702. Administrative procedure, 7703. Bases for suspension or revocation, 7704. Dangerous drugs as grounds for revocation, 7705. Subpenas and oaths, 7706. Drug testing reporting.

Editorial Notes

AMENDMENTS

2004—Pub. L. 108-293, title IV, §414(b), Aug. 9, 2004, 118 Stat. 1047, added item 7706.

§ 7701. General

(a) The purpose of suspension and revocation proceedings is to promote safety at sea.

(b) Licenses, certificates of registry, and merchant mariners’ documents may be suspended or revoked for acts described in section 7703 of this title.

(c) When a license, certificate of registry, or merchant mariner’s document has been revoked under this chapter, the former holder may be issued a new license, certificate of registry, or merchant mariner’s document only after—

(1) the Secretary decides, under regulations prescribed by the Secretary, that the issuance is compatible with the requirement of good discipline and safety at sea; and

(2) the former holder provides satisfactory proof that the bases for revocation are no longer valid.

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

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 546; Pub. L. 101-380, title IV, §4103(c), Aug. 18, 1990, 104 Stat. 511.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section and Source section (U.S. Code). Row 7701 46:239(g)

Section 7701 establishes the general purpose of suspension and revocation proceedings, which is to promote safety at sea. This section also provides the Secretary with the authority to suspend or revoke licenses, certificates, and documents, as well as the authority to issue a new license, certificate or document to an individual when the issuance is compatible with the requirements of good discipline and safety at sea. It also provides for necessary regulatory authority to carry out its purposes.

Editorial Notes

AMENDMENTS

1990—Subsec. (c). Pub. L. 101-380 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “When a license, certificate of registry, or merchant mariner’s document has been revoked under this chapter, the former holder may be issued a new license, certificate, or document only after it has been decided, under regulations prescribed by the Secretary, that the issuance is compatible with the requirements of good discipline and safety at sea.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-380 applicable to incidents occurring after Aug. 18, 1990, see section 1020 of Pub. L. 101-380, set out as an Effective Date note under section 2701 of Title 33, Navigation and Navigable Waters.

§ 7702. Administrative procedure

(a) Sections 551-559 of title 5 apply to each hearing under this chapter about suspending or revoking a license, certificate of registry, or merchant mariner’s document.

(b) The individual whose license, certificate of registry, or merchant mariner’s document has been suspended or revoked under this chapter may appeal, within 30 days, the suspension or revocation to the Secretary.

(c)(1) The Secretary shall request a holder of a license, certificate of registry, or merchant mariner’s document to make available to the Secretary, under section 30305(b)(7) of title 49, all information contained in the National Driver Register related to an offense described in section 205(a)(3)(A) or (B) of that Act¹ committed by the individual.

(2) The Secretary shall require the testing of the holder of a license, certificate of registry, or merchant mariner’s document for use of alcohol

¹ See References in Text note below.