Section 1159, acts June 30, 1948, ch. 758, § 9, formerly § 7, 62 Stat. 1159; July 17, 1952, ch. 927, 66 Stat. 755; July 9, 1956, ch. 518, § 1, 70 Stat. 503; July 20, 1961, Pub. L. 87–88, §§ 1(b)–(d), 6(a), (b), 75 Stat. 204, 207; renumbered Oct. 2, 1965, Pub. L. 89–234, § 2(a), 79 Stat. 903; amended 1966 Reorg. Plan No. 2, § 1(a), (c)(1), (2), eff. May 10, 1966, 31 F.R. 6857, 80 Stat. 1608; 1970 Reorg. Plan No. 3, § 2(a)(1), (b)(1)(i), eff. Dec. 3, 1970, 35 F.R. 15623, 84 Stat. 2087, related to establishment, composition, and duties of the Water Pollution Control Advisory Board.

Section 1160, acts June 30, 1948, ch. 758, § 10, formerly § 8, 62 Stat. 1159; July 17, 1952, ch. 927, 66 Stat. 755; July 9, 1956, ch. 518, § 1, 70 Stat. 504; July 20, 1961, Pub. L. 87–88, §§ 1(b), 7, 75 Stat. 204, 207; renumbered and amended Oct. 2, 1965, Pub. L. 89–234, §§ 2(a), 5, 7(c), (d), 79 Stat. 903, 907, 910; 1966 Reorg. Plan No. 2, § 1(a), (d)(1), (2), eff. May 10, 1966, 31 F.R. 6857, 80 Stat. 1608; Nov. 3, 1966, Pub. L. 89–753, title II, §§ 206–208, 80 Stat. 1250; Apr. 3, 1970, Pub. L. 91–224, title I, § 112, 84 Stat. 114; 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to enforcement measures against pollution of interstate or navigable waters.

Section 1161, act June 30, 1948, ch. 758, § 11, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 91; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, Dec. 31, 1970, Pub. L. 91–611, title I, § 120 84 Stat. 1823, related to control of pollution by oil.

Section 1162, act June 30, 1948, ch. 758, § 12, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 98, related to control of pollution by hazardous substances.

Section 1163, act June 30, 1948, ch. 758, § 13, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 100; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to control of sewage from vessels.

Section 1164, act June 30, 1948, ch. 758, § 14, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 103; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to acid and other mine water pollution elimination or control projects.

Section 1165, act June 30, 1948, ch. 758, § 15, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 104; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to Great Lakes pollution elimination or control projects.

§ 1165a. Transferred

CODIFICATION

Section transferred to section 1293a of this title.

§§ 1166 to 1175. Omitted

CODIFICATION

Sections 1166 to 1175 of this title were omitted as superseded by Pub. L. 92–500, § 2, Oct. 18, 1972, 88 Stat. 816. See section 1251 et seq. of this title.

Section 1166, act June 30, 1948, ch. 758, § 16, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 104; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to training grants to and contracts with institutions of higher education for water quality control programs or projects.

Section 1167, act June 30, 1948, ch. 758, § 17, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 105; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 3, 1970, 35 F.R. 15623, 84 Stat. 2087, related to applications for training grants or contracts.

A prior section 17 of act June 30, 1948, formerly classified to section 466m of this title, was repealed by Pub. L. 91–224, title 1, § 102, Apr. 3, 1970, 84 Stat. 91, in the general reorganization of act June 30, 1948 by Pub. L. 91–224.

Section 1168, act June 30, 1948, ch. 758, § 18, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 105; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to awarding of scholarships for undergraduate study of operation and maintenance of treatment works.

A prior section 18 of act June 30, 1948, formerly classified to section 466n of this title, was repealed by Pub. L. 91–224, title I, § 102, Apr. 3, 1970, 84 Stat. 91, in the general reorganization of act June 30, 1948 by Pub. L. 91–224.

Section 1169, act June 30, 1948, ch. 758, § 19, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 106; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to an annual report by the Administrator of the Environmental Protection Agency, appropriations for certain fiscal years, and defined certain terms as used in this chapter.

Section 1170, act June 30, 1948, ch. 758, § 20, as added Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 107; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to Alaska village safe water and pollution elimination or control projects.

Section 1171, act June 30, 1948, ch. 758, § 21, formerly § 9, 62 Stat. 1160; July 9, 1956, ch. 518, § 1, 70 Stat. 506; July 20, 1961. Pub. L. 87–88, § 8, 75 Stat. 210; renumbered § 11 and amended Oct. 2, 1965, Pub. L. 89–234, §§ 2(a), 7(e), 79 Stat. 903, 910; 1966 Reorg. Plan No. 2, § 1(a), eff. May 10, 1966, 31 F.R. 6857, 80 Stat. 1608; renumbered § 21 and amended Apr. 3, 1970, Pub. L. 91–224, title I, §§ 102, 103, 84 Stat. 91, 107; 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to cooperation by all Federal agencies in pollution control.

Section 1172, act June 30, 1948, ch. 758, § 22, formerly § 10, 62 Stat. 1160; July 9, 1956, ch. 518, § 1 70 Stat. 506; July 20, 1961, Pub. L. 87–88, § 1(b), (d), (e), 75 Stat. 204; renumbered § 12 and amended Oct. 2, 1965, Pub. L. 89–234, §§ 2(a), 6, 79 Stat. 903, 909; 1966 Reorg. Plan No. 2, § 1(a), eff. May 10, 1966, 31 F.R. 6857, 80 Stat. 1608; renumbered § 22 and amended Apr. 3, 1970, Pub. L. 91–224, title I, §§ 102, 104, 84 Stat. 91, 110; 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to administration of water pollution control program under this chapter.

Section 1173, act June 30, 1948, ch. 758, § 23, formerly § 11, 62 Stat. 1161; July 9, 1956, ch. 518, § 1, 70 Stat. 506; June 25, 1959, Pub. L. 86–70, § 28(b), 73 Stat. 148; July 12, 1960, Pub. L. 86–624, § 23(b), 74 Stat. 418; July 20, 1961, Pub. L. 87–88, § 9, 75 Stat. 210; renumbered § 13, Oct. 2, 1965, Pub. L. 89–234, § 2(a), 79 Stat. 903; amended Nov. 3, 1966, Pub. L. 89–753, title II, § 209, 80 Stat. 1251; renumbered § 23, Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 91, related to definitions of terms used in this chapter.

Section 1174, act June 30, 1948, ch. 758, § 24, formerly § 12, as added July 9, 1956, ch. 518, § 1, 70 Stat. 506; renumbered § 14, Oct. 2, 1965, Pub. L. 89–234, § 2(a), 79 Stat. 903; renumbered § 24 and amended Apr. 3, 1970, Pub. L. 91–224, §§ 102, 107, 84 Stat. 91, 113, related to application of this chapter to other laws.

Section 1175, act June 30, 1948, ch. 758, § 26, formerly § 16, as added Nov. 3, 1966, Pub. L. 89–753, title II, § 210, 80 Stat. 1252; renumbered Apr. 3, 1970, Pub. L. 91–224, title I, § 102, 84 Stat. 91; amended 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, related to cost estimates, studies, and analysis by the Administrator of Environmental Protection Agency.

CHAPTER 24—VESSEL BRIDGE-TO-BRIDGE COMMUNICATION

Sec.
1201. Statement of purpose.
1202. Definitions.
1203. Radiotelephone requirement.
1204. Radiotelephone for exclusive use of master, person in charge, or pilot; frequency listening watch; portable radiotelephone equipment.
1205. Radiotelephone capability; maintenance; restoration; consequences of loss: navigation of vessel.
1206. Exemptions; terms and conditions.

Sec.
1207. Regulations.
1208. Penalties.

§ 1201. Statement of purpose

It is the purpose of this chapter to provide a positive means whereby the operators of approaching vessels can communicate their intentions to one another through voice radio, located convenient to the operator's navigation station. To effectively accomplish this, there is need for a specific frequency or frequencies dedicated to the exchange of navigational information, on navigable waters of the United States.

(Pub. L. 92–63, § 2, Aug. 4, 1971, 85 Stat. 164.)

SHORT TITLE

Section 1 of Pub. L. 92–63 provided: ''That this Act [enacting this chapter] may be cited as the 'Vessel Bridge-to-Bridge Radiotelephone Act'.''

EFFECTIVE DATE

Section 10 of Pub. L. 92–63 provided that: ''This Act [enacting this chapter] shall become effective May 1, 1971, or six months after the promulgation of regulations which would implement its provisions, whichever is later.'' See 47 CFR 83.701 et seq.

§ 1202. Definitions

For the purpose of this chapter—

(1) ''Secretary'' means the Secretary of the Department in which the Coast Guard is operating;

(2) ''power-driven vessel'' means any vessel propelled by machinery; and

(3) ''towing vessel'' means any commercial vessel engaged in towing another vessel astern, alongside, or by pushing ahead.

(Pub. L. 92–63, § 3, Aug. 4, 1971, 85 Stat. 164.)

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 1203. Radiotelephone requirement

(a) Vessel coverage; exchange of navigational information

Except as provided in section 1206 of this title—

(1) every power-driven vessel of twenty meters or over in length while navigating;

(2) every vessel of one hundred gross tons as measured under section 14502 of title 46, or an alternate tonnage measured under section 14302 of that title as prescribed by the Secretary under section 14104 of that title, and upward carrying one or more passengers for hire while navigating;

(3) every towing vessel of twenty-six feet or over in length while navigating; and

(4) every dredge and floating plant engaged in or near a channel or fairway in operations likely to restrict or affect navigation of other vessels—

shall have a radiotelephone capable of operation from its navigational bridge or, in the case of a dredge, from its main control station and capable of transmitting and receiving on the frequency or frequencies within the 156–162 Mega-Hertz band using the classes of emissions designated by the Federal Communications Commission, after consultation with other cognizant agencies, for the exchange of navigational information.

(b) Vessels upon navigable waters of United States inside high seas lines

The radiotelephone required by subsection (a) of this section shall be carried on board the described vessels, dredges, and floating plants upon the navigable waters of the United States, which includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.

(Pub. L. 92–63, § 4, Aug. 4, 1971, 85 Stat. 164; Pub. L. 102–241, § 16, Dec. 19, 1991, 105 Stat. 2213; Pub. L. 104–324, title VII, § 704, Oct. 19, 1996, 110 Stat. 3933; Pub. L. 107–295, title III, § 321, Nov. 25, 2002, 116 Stat. 2103.)

REFERENCES IN TEXT

Presidential Proclamation 5928 of December 27, 1988, referred to in subsec. (b), is set out as a note under section 1331 of Title 43, Public Lands.

AMENDMENTS

2002—Subsec. (b). Pub. L. 107–295 substituted ''United States, which includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988'' for ''United States inside the lines established pursuant to section 151 of this title''.

1996—Subsec. (a)(2). Pub. L. 104–324 inserted ''as measured under section 14502 of title 46, or an alternate tonnage measured under section 14302 of that title as prescribed by the Secretary under section 14104 of that title,'' after ''one hundred gross tons''.

1991—Subsec. (a)(1). Pub. L. 102–241 amended par. (1) generally, substituting ''twenty meters or over in length'' for ''three hundred gross tons and upward''.

VESSEL COMMUNICATION EQUIPMENT REGULATIONS

Pub. L. 101–380, title IV, § 4118, Aug. 18, 1990, 104 Stat. 523, provided that: ''The Secretary shall, not later than one year after the date of the enactment of this Act [Aug. 18, 1990], issue regulations necessary to ensure that vessels subject to the Vessel Bridge-to-Bridge Radiotelephone Act of 1971 (33 U.S.C. 1203) are also equipped as necessary to—

''(1) receive radio marine navigation safety warnings; and

''(2) engage in radio communications on designated frequencies with the Coast Guard, and such other vessels and stations as may be specified by the Secretary.''

§ 1204. Radiotelephone for exclusive use of master, person in charge, or pilot; frequency listening watch; portable radiotelephone equipment

The radiotelephone required by this chapter is for the exclusive use of the master or person in charge of the vessel, or the person designated by the master or person in charge to pilot or direct the movement of the vessel, who shall maintain a listening watch on the designated frequency. Nothing contained herein shall be interpreted as precluding the use of portable radiotelephone

equipment to satisfy the requirements of this chapter.

(Pub. L. 92–63, § 5, Aug. 4, 1971, 85 Stat. 165.)

§ 1205. Radiotelephone capability; maintenance; restoration; consequences of loss: navigation of vessel

Whenever radiotelephone capability is required by this chapter, a vessel's radiotelephone equipment shall be maintained in effective operating condition. If the radiotelephone equipment carried aboard a vessel ceases to operate, the master shall exercise due diligence to restore it or cause it to be restored to effective operating condition at the earliest practicable time. The failure of a vessel's radiotelephone equipment shall not, in itself, constitute a violation of this chapter, nor shall it obligate the master of any vessel to moor or anchor his vessel; however, the loss of radiotelephone capability shall be given consideration in the navigation of the vessel.

(Pub. L. 92–63, § 6, Aug. 4, 1971, 85 Stat. 165.)

§ 1206. Exemptions; terms and conditions

The Secretary may, if he considers that marine navigational safety will not be adversely affected or where a local communication system fully complies with the intent of this concept but does not conform in detail, issue exemptions from any provisions of this chapter, on such terms and conditions as he considers appropriate.

(Pub. L. 92–63, § 7, Aug. 4, 1971, 85 Stat. 165.)

§ 1207. Regulations

(a) Operating and technical conditions and characteristics; frequencies, emission, and power of radiotelephone equipment

The Federal Communications Commission shall, after consultation with other cognizant agencies, prescribe regulations necessary to specify operating and technical conditions and characteristics including frequencies, emission, and power of radiotelephone equipment required under this chapter.

(b) Enforcement

The Secretary shall, subject to the concurrence of the Federal Communications Commission, prescribe regulations for the enforcement of this chapter.

(Pub. L. 92–63, § 8, Aug. 4, 1971, 85 Stat. 165.)

§ 1208. Penalties

(a) Master, person in charge, or pilot subject to penalty

Whoever, being the master or person in charge of a vessel subject to this chapter, fails to enforce or comply with this chapter or the regulation, hereunder; or

Whoever, being designated by the master or person in charge of a vessel subject to this chapter to pilot or direct the movement of the vessel, fails to enforce or comply with this chapter or the regulations hereunder—

Is liable to a civil penalty of not more than $500 to be assessed by the Secretary.

(b) Vessels subject to penalty; jurisdiction

Every vessel navigating in violation of this chapter or the regulations hereunder is liable to a civil penalty of not more than $500 to be assessed by the Secretary for which the vessel may be proceeded against in any district court of the United States having jurisdiction.

(c) Remission or mitigation

Any penalty assessed under this section may be remitted or mitigated by the Secretary upon such terms as he may deem proper.

(Pub. L. 92–63, § 9, Aug. 4, 1971, 85 Stat. 165.)

CHAPTER 25—PORTS AND WATERWAYS SAFETY PROGRAM

Sec.
1221. Statement of policy.
1222. Definitions.
1223. Vessel operating requirements.
1223a. Electronic charts.
1224. Considerations by Secretary.
1225. Waterfront safety.
1226. Port, harbor, and coastal facility security.
1227. Investigatory powers.
1228. Conditions for entry to ports in the United States.
1229. Applicability.
1230. International agreements.
1231. Regulations.
1231a. Towing Safety Advisory Committee.
1232. Enforcement provisions.
1232a. Navigational hazards.
1232b. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.
1233. Regulations as to regattas or marine parades.
1234. Enforcement of regulations; use of public or private vessels.
1235. Transfer of authority to regulate to head of other department.
1236. Penalties for violations of regulations.

§ 1221. Statement of policy

The Congress finds and declares—

(a) that navigation and vessel safety, protection of the marine environment, and safety and security of United States ports and waterways are matters of major national importance;

(b) that increased vessel traffic in the Nation's ports and waterways creates substantial hazard to life, property, and the marine environment;

(c) that increased supervision of vessel and port operations is necessary in order to—

(1) reduce the possibility of vessel or cargo loss, or damage to life, property, or the marine environment;

(2) prevent damage to structures in, on, or immediately adjacent to the navigable waters of the United States or the resources within such waters;

(3) insure that vessels operating in the navigable waters of the United States shall comply with all applicable standards and requirements for vessel construction, equipment, manning, and operational procedures; and

(4) insure that the handling of dangerous articles and substances on the structures in, on, or immediately adjacent to the navigable waters of the United States is con-