and classed by an organization approved by Secretary, and to make recommendations regarding what hull and machinery requirements could apply to such vessels to ensure that those vessels are operated and maintained in a condition in which they are safe to operate at sea, and further provided for submission of such study and recommendations to Congress before July 28, 1991.

TERRITORIAL SEA OF UNITED STATES

For extension of territorial sea of United States, see Proc. No. 5928, set out as a note under section 1331 of Title 43, Public Lands.

§ 4503. Fishing, fish tender, and fish processing vessel certification

(a) A vessel to which this section applies may not be operated unless the vessel—

(1) meets all survey and classification requirements prescribed by the American Bureau of Shipping or another similarly qualified organization approved by the Secretary; and

(2) has on board a certificate issued by the American Bureau of Shipping or that other organization evidencing compliance with this subsection.

(b) This section applies to a fish processing vessel to which this chapter applies that—

(1) is built after July 27, 1990; or

(2) undergoes a major conversion completed after that date.

(c) This section applies to a vessel to which section 4502(b) of this title applies that is at least 50 feet overall in length and is built after July 1, 2012.

(d)(1) After January 1, 2020, a fishing vessel, fish processing vessel, or fish tender vessel to which section 4502(b) of this title applies shall comply with an alternate safety compliance program that is developed in cooperation with the commercial fishing industry and prescribed by the Secretary, if the vessel—

(A) is at least 50 feet overall in length;

(B) is built before July 1, 2012; and

(C) is 25 years of age or older.

(2) A fishing vessel, fish processing vessel, or fish tender vessel built before July 1, 2012, that undergoes a substantial change to the dimension of or type of vessel completed after the later of July 1, 2012, or the date the Secretary establishes standards for an alternate safety compliance program, shall comply with such an alternative safety compliance program that is developed in cooperation with the commercial fishing industry and prescribed by the Secretary.

(3) Alternative safety compliance programs may be developed for purposes of paragraph (1) for specific regions and fisheries.

(4) Notwithstanding paragraph (1), vessels owned by a person that owns more than 30 vessels subject to that paragraph are not required to meet the alternate safety compliance requirements of that paragraph until January 1, 2030, if that owner enters into a compliance agreement with the Secretary that provides for a fixed schedule for all of the vessels owned by that person to meet requirements of that paragraph by that date and the vessel owner is meeting that schedule.

(5) A fishing vessel, fish processing vessel, or fish tender vessel to which section 4502(b) of this title applies that was classed before July 1, 2012, shall—

(A) remain subject to the requirements of a classification society approved by the Secretary; and

(B) have on board a certificate from that society.

(Added Pub. L. 98–364, title IV, § 402(7)(C), July 17, 1984, 98 Stat. 447; amended Pub. L. 98–557, § 33(b), Oct. 30, 1984, 98 Stat. 2876; Pub. L. 100–424, § 2(a), Sept. 9, 1988, 102 Stat. 1587; Pub. L. 111–281, title VI, § 604(e)(1), Oct. 15, 2010, 124 Stat. 2966.)

AMENDMENTS

2010—Pub. L. 111–281, § 604(e)(1)(A), substituted ''Fishing, fish tender, and fish processing vessel certification'' for ''Fish processing vessel certification'' in section catchline.

Subsec. (a). Pub. L. 111–281, § 604(e)(1)(B), struck out ''fish processing'' before ''vessel to which this section applies'' in introductory provisions.

Subsecs. (c), (d). Pub. L. 111–281, § 604(e)(1)(C), added subsecs. (c) and (d).

1988—Pub. L. 100–424 amended section generally, substituting ''Fish processing vessel certification'' for ''Equivalency'' in section catchline, and provisions which require certification issued by American Bureau of Shipping or similar organization for fish processing vessel built after July 27, 1990, or undergoes major conversion completed after that date, for provisions which deemed compliance with this chapter if vessel has unexpired certificate of inspection issued by foreign country that is party to International Convention for Safety of Life at Sea to which United States is party.

1984—Pub. L. 98–557 substituted ''is deemed'' for ''shall be deemed''.

ALTERNATIVE SAFETY COMPLIANCE PROGRAM

Pub. L. 111–281, title VI, § 604(f), Oct. 15, 2010, 124 Stat. 2967, provided that: ''No later than January 1, 2017, the Secretary of the department in which the Coast Guard is operating shall prescribe an alternative safety compliance program referred to in section 4503(d)(1) of the title 46, United States Code, as amended by this section.''

§ 4504. Prohibited acts

A person may not operate a vessel in violation of this chapter or a regulation prescribed under this chapter.

(Added Pub. L. 98–364, title IV, § 402(7)(C), July 17, 1984, 98 Stat. 447; amended Pub. L. 100–424, § 2(a), Sept. 9, 1988, 102 Stat. 1587.)

AMENDMENTS

1988—Pub. L. 100–424 amended section generally, substituting ''Prohibited acts'' for ''Penalties'' in section catchline, and provisions prohibiting operation of vessel in violation of this chapter, for provisions which imposed civil penalty not more than $1,000 for operation of vessel in violation of chapter, and liability in rem for penalty.

§ 4505. Termination of unsafe operations

An official authorized to enforce this chapter—

(1) may direct the individual in charge of a vessel to which this chapter applies to immediately take reasonable steps necessary for the safety of individuals on board the vessel if the official observes the vessel being operated in an unsafe condition that the official believes creates an especially hazardous condition, in-