

**§ 26.09**

**33 CFR Ch. I (7-1-03 Edition)**

Protection, 2100 Second Street SW., Washington, DC 20593-0001, and must state:

(1) The provisions of the Act or this part from which an exemption is requested; and

(2) The reasons why marine navigation will not be adversely affected if the exemption is granted and if the exemption relates to a local communication system how that system would fully comply with the intent of the concept of the Act but would not conform in detail if the exemption is granted.

[CGD 71-114R, 37 FR 12720, June 28, 1972, as amended by CGD 73-256, 39 FR 9176, Mar. 8, 1974; CGD 88-052, 53 FR 25119, July 1, 1988; CGD 95-057, 60 FR 34150, June 30, 1995; CGD 96-026, 61 FR 33663, June 28, 1996; CGD 97-023, 62 FR 33362, June 19, 1997; USCG-2002-12471, 67 FR 41331, June 18, 2002]

**§ 26.09 List of exemptions.**

(a) All vessels navigating on those waters governed by the navigation rules for Great Lakes and their connecting and tributary waters (33 U.S.C. 241 et seq.) are exempt from the requirements of the Vessel Bridge-to-Bridge Radiotelephone Act and this part until May 6, 1975.

(b) Each vessel navigating on the Great Lakes as defined in the Inland Navigational Rules Act of 1980 (33 U.S.C. 2001 et seq.) and to which the Vessel Bridge-to-Bridge Radiotelephone Act (33 U.S.C. 1201-1208) applies is exempt from the requirements in 33 U.S.C. 1203, 1204, and 1205 and the regulations under §§ 26.03, 26.04, 26.05, 26.06, and 26.07. Each of these vessels and each person to whom 33 U.S.C. 1208(a) applies must comply with Articles VII, X, XI, XII, XIII, XV, and XVI

and Technical Regulations 1-9 of "The Agreement Between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973."

[CGD 72-223R, 37 FR 28633, Dec. 28, 1972, as amended by CGD 74-291, 39 FR 44980, Dec. 30, 1974; CGD 83-003, 48 FR 7442, Feb. 18, 1983; CGD 91-046, 57 FR 14486, Apr. 21, 1992]

**PART 27—ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION**

Sec.

27.1 Applicability.

27.2 Effective date.

27.3 Penalty Adjustment Table.

AUTHORITY: Pub. L. 101-410, 104 Stat. 890 as amended by Pub. L. 104-134; 49 CFR 1.45, 1.46.

SOURCE: CGD 96-052, 62 FR 16700, Apr. 8, 1997, unless otherwise noted.

**§ 27.1 Applicability.**

This part applies to each statutory provision under the laws administered by the Coast Guard concerning the maximum civil monetary penalty which may be assessed in either civil judicial or administrative proceedings.

**§ 27.2 Effective date.**

The increased penalty amounts set forth in this rule apply to all violations under the applicable statutes and regulations which occur after May 7, 1997.

**§ 27.3 Penalty Adjustment Table.**

The adjusted statutory penalty provisions and their maximum applicable amounts are set out in Table 1. The last column of the table provides the newly effective maximum penalty amounts.

TABLE 1—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS \*

U.S. Code citation	Civil monetary penalty description	New maximum penalty amount
14 U.S.C. 88(c)	Saving Life and Property	5,500
14 U.S.C. 645(h)	Confidentiality of Medical Quality Assurance Records (first offense)	3,000
14 U.S.C. 645(h)	Confidentiality of Medical Quality Assurance Records (subsequent offense)	22,000
33 U.S.C. 471	Anchorage Ground/Harbor Regulations General	110
33 U.S.C. 474	Anchorage Ground/Harbor Regulations St. Mary's River	220
33 U.S.C. 495	Bridges/Failure to Comply with Regulations	1,100
33 U.S.C. 499	Bridges/Drawbridges	1,100
33 U.S.C. 502	Bridges/Failure to Alter Bridge Obstructing Navigation	1,100
33 U.S.C. 533	Bridges/Maintenance & Operation	1,100
33 U.S.C. 1208(a)	Bridge to Bridge Communication	550