

“(2) payment to the United States of an amount equal to the difference of the fair market value of the parcel to be conveyed pursuant to subsection (a) of this section and the fair market value of the parcel to be conveyed pursuant to paragraph (1) of this subsection.”

Subsec. (c). Pub. L. 106-53, §585(3), in second sentence, inserted “, or any part of the parcel,” after “parcel” and “, if any,” after “LCA”.

§ 59ii. Declaration of nonnavigability of a portion of the canal known as the James River and Kanawha Canal in Richmond, Virginia

(a) Canal declared nonnavigable

The portion of the canal known as the James River and Kanawha Canal in Richmond, Virginia, located between the Great Ship Lock on the east and the limits of the City of Richmond on the west is hereby declared to be a non-navigable waterway of the United States for purposes of subtitle II of title 46.

(b) Ensuring public safety

The Secretary of Transportation shall provide such technical advice, information, and assistance as the City of Richmond, Virginia, or its designee may request to insure that the vessels operating on the waters declared nonnavigable by subsection (a) of this section are built, maintained, and operated in a manner consistent with protecting public safety.

(c) Termination of declaration

(1) In general

The Secretary of Transportation may terminate the effectiveness of the declaration made by subsection (a) of this section by publishing a determination that vessels operating on the waters declared nonnavigable by subsection (a) of this section have not been built, maintained, and operated in a manner consistent with protecting public safety.

(2) Public input

Before making a determination under this subsection, the Secretary of Transportation shall—

(A) consult with appropriate State and local government officials regarding whether such a determination is necessary to protect public safety and will serve the public interest; and

(B) provide to persons who might be adversely affected by the determination the opportunity for comment and a hearing on whether such action is necessary to protect public safety and will serve the public interest.

(Pub. L. 106-32, §2, June 1, 1999, 113 Stat. 115.)

FINDINGS

Pub. L. 106-32, §1, June 1, 1999, 113 Stat. 115, provided that: “The Congress finds the following:

“(1) The canal known as the James River and Kanawha Canal played an important part in the economic development of the Commonwealth of Virginia and the City of Richmond.

“(2) The canal ceased to operate as a functioning waterway in the conduct of commerce in the late 1800s.

“(3) Portions of the canal have been found by a Federal district court to be nonnavigable.

“(4) The restored portion of the canal will be utilized to provide entertainment and education to visi-

tors and will play an important part in the economic development of downtown Richmond.

“(5) The restored portion of the canal will not be utilized for general public boating, and will be restricted to activities similar to those conducted on similar waters in San Antonio, Texas.

“(6) The continued classification of the canal as a navigable waterway based upon historic usage that ceased more than 100 years ago does not serve the public interest and is unnecessary to protect public safety.

“(7) Congressional action is required to clarify that the canal is no longer to be considered a navigable waterway for purposes of subtitle II of title 46, United States Code.”

CHAPTER 2—INTERNATIONAL RULES FOR NAVIGATION AT SEA

§§ 61 to 63. Repealed. Oct. 11, 1951, ch. 495, §5, 65 Stat. 407

Section 61, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 320; Feb. 19, 1895, ch. 102, §1, 28 Stat. 672; June 7, 1897, ch. 4, §1, 30 Stat. 96, related to adoption of rules for navigation on high seas. See section 1602 of this title.

Section 62, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 320, 321, defined “sailing vessel”, “steam vessel”, and “under way”. See section 1601 of this title.

Section 63, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 321, defined “visible”.

EFFECTIVE DATE OF REPEAL

Section 5 of act Oct. 11, 1951, provided that the repeal of these sections is effective upon the taking effect of regulations proclaimed under section 1 of act Oct. 11, 1951. Such regulations were proclaimed by Proc. No. 3030 of Aug. 1, 1953, 18 F.R. 4983, and were to be effective Jan. 1, 1954.

§§ 71 to 84. Repealed. Oct. 11, 1951, ch. 495, §5, 65 Stat. 407

Section 71, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 321, provided that rules concerning lights be complied with from sunset to sunrise.

Section 72, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 321, related to lights of steam vessel under way.

Section 73, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 321, related to lights of vessel towing another vessel or vessels.

Section 74, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 322, related to lights and day signals of vessel not under control and of telegraph cable vessel.

Section 75, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 322, related to lights of sailing vessel under way and of vessel in tow.

Section 76, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 322, related to lights of small vessel under way in bad weather.

Section 77, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 322; May 28, 1894, ch. 83, 28 Stat. 82, related to substitute lights for small vessel and rowing boats.

Section 78, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 323; Feb. 19, 1900, ch. 22, §1, 31 Stat. 30, related to lights of pilot vessel on and off duty, and steam pilot vessel.

Section 79, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 323; May 28, 1894, ch. 83, 28 Stat. 82; Jan. 19, 1907, ch. 300, §1, 34 Stat. 850, related to lights and day signals of fishing vessels and boats.

Section 80, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 324, related to lights on overtaken vessel.

Section 81, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 324, related to lights on vessel at anchor or aground.

Section 82, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 325, authorized additional lights and signals when necessary.

Section 83, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 325, related to special lights for ships of war and recognition signals.

Section 84, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 325, related to day signal of steam vessel under sail.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

§§ 91, 92. Repealed. Oct. 11, 1951, ch. 495, § 5, 65 Stat. 407

Section 91, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 325; June 10, 1896, ch. 401, §1, 29 Stat. 381, related to sound signals for fog.

Section 92, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 325, related to speed in fog.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

§§ 101 to 113. Repealed. Oct. 11, 1951, ch. 495, § 5, 65 Stat. 407

Section 101, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 326, provided suggestion for ascertainment of risk of collision.

Section 102, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 326, related to sailing vessels approaching one another.

Section 103, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 326, related to steam vessels meeting end on.

Section 104, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to steam vessels crossing.

Section 105, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to steam and sailing vessels meeting.

Section 106, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 327; May 28, 1894, ch. 83, 28 Stat. 83, provided that vessel having the right-of-way keep course.

Section 107, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to crossing ahead of vessel having right-of-way.

Section 108, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to duty of steam vessel to slacken speed.

Section 109, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, provided that overtaking vessel keep out of the way of the overtaken vessel, defined "overtaken vessel".

Section 110, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to steam vessel in narrow channel.

Section 111, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to right of way of fishing vessels or boats, and obstruction of fairways.

Section 112, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 327, related to special circumstances requiring departure from rules.

Section 113, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 328, related to sound signals of steam vessel indicating course.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

§ 121. Repealed. Oct. 11, 1951, ch. 495, § 5, 65 Stat. 407

Section, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 328, related to additional precautions.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

§ 131. Repealed. Oct. 11, 1951, ch. 495, § 5, 65 Stat. 407

Section, act Aug. 19, 1890, ch. 802, §1, 26 Stat. 328, related to local rules for harbors and inland waters.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

§ 141. Repealed. Oct. 11, 1951, ch. 495, § 5, 65 Stat. 407

Section, acts Aug. 19, 1890, ch. 802, §1, 26 Stat. 328; May 28, 1894, ch. 83, 28 Stat. 83, related to distress signals.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

§ 142. Repealed. Oct. 11, 1951, ch. 495, § 5, 65 Stat. 407

Section, act Aug. 19, 1890, ch. 802, §1, as added Aug. 21, 1935, ch. 595, §1, 49 Stat. 668, related to orders to helmsmen.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1954, see note set out under sections 61 to 63 of this title.

§§ 143 to 143b. Repealed. Pub. L. 88-131, § 3, Sept. 24, 1963, 77 Stat. 194

Section 143, act Oct. 11, 1951, ch. 495, §1, 65 Stat. 406, related to adoption of rules for prevention of collisions on the high seas, and to their geographical applicability.

Section 143a, act Oct. 11, 1951, ch. 495, §2, 65 Stat. 407, provided that Navy and Coast Guard be exempt from the requirements of the rules.

Section 143b, act Oct. 11, 1951, ch. 495, §6, 65 Stat. 408, related to identity of regulations authorized to be proclaimed.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1965, see Proc. No. 3632, Dec. 29, 1964, 29 F.R. 19167, and section 3 of Pub. L. 88-131, both set out as notes under section 1051 of this title.

PROCLAMATION No. 3030

Proc. No. 3030, Aug. 19, 1953, 18 F.R. 4983, which was the enabling proclamation for adopting Regulations for Preventing Collisions at Sea, 1948, under act Oct. 11, 1951, ch. 495, §1, 65 Stat. 406, was superseded by Proc. No. 3632, Dec. 29, 1964, 29 F.R. 19167, set out as a note under section 1051 of this title.

EXECUTIVE ORDER No. 10402

Ex. Ord. No. 10402, Oct. 30, 1952, 17 F.R. 9917, which enforced the Convention for the Safety of Life at Sea, 1948, was revoked by Ex. Ord. No. 12234, Sept. 3, 1980, 45 F.R. 58801, set out as a note under section 1602 of this title.

§ 144. Repealed. Pub. L. 88-131, § 3, Sept. 4, 1963, 77 Stat. 194

Section, act Oct. 11, 1951, ch. 495, §6, Pt. A, 65 Stat. 408, related to applicability of sections 144 to 147d of this title, provided that rules concerning lights be complied with from sunset to sunrise, and defined terms used in sections 145 to 147d of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1965, see Proc. No. 3632, Dec. 29, 1964, 29 F.R. 19167, and section 3 of Pub. L. 88-131, both set out as notes under section 1051 of this title.

§§ 145 to 145n. Repealed. Pub. L. 88-131, § 3, Sept. 24, 1963, 77 Stat. 194

Section 145, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 408, related to lights of power-driven vessels under way and of seaplanes under way on the water.

Section 145a, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 410, related to lights of vessel or seaplane towing or pushing other vessels or seaplanes.

Section 145b, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 410, related to lights and day signals of vessel not under command and of vessels engaged in specified operations.

Section 145c, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 411, related to lights of sailing vessel under way and of vessel or seaplane in tow and of vessels being pushed ahead.

Section 145d, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 411, related to lights of small vessel in bad weather.

Section 145e, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 411, related to substitute lights for small vessel and rowing boats.

Section 145f, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 412, related to lights of pilot vessel on and off duty.

Section 145g, acts Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 413; June 26, 1953, ch. 155, §1, 67 Stat. 83, related to lights and day signals of fishing vessels.

Section 145h, acts Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 414, related to stern and tail lights.

Section 145i, acts Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 414; June 26, 1953, ch. 155, §2, 67 Stat. 83, related to lights on vessels or seaplanes at anchor or aground.

Section 145j, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 415, related to additional lights and signals when necessary.

Section 145k, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 415, related to special lights for ships of war, for vessels sailing under convoy and for seaplanes on the water, recognition signals adopted by shipowners, and lights of naval and military vessels and seaplanes of special construction.

Section 145l, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 415, related to day signal of steam vessel under sail.

Section 145m, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 415, related to sound signals under conditions of restricted visibility.

Section 145n, act Oct. 11, 1951, ch. 495, §6, Pt. B, 65 Stat. 417, related to speed in weather restricting visibility.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1965, see Proc. No. 3632, Dec. 29, 1964, 29 F.R. 19167, and section 3 of Pub. L. 88-131, both set out as notes under section 1051 of this title.

§§ 146 to 146k. Repealed. Pub. L. 88-131, §3, Sept. 24, 1963, 77 Stat. 194

Section 146, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 417, provided methods of obeying and construing sections 146 to 146k, suggestion for ascertainment of risk of collision, and advice concerning the operation of seaplanes.

Section 146a, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 417, related to sailing vessels approaching one another.

Section 146b, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 417, related to power-driven vessels meeting end on.

Section 146c, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 418, related to power-driven vessels crossing.

Section 146d, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 418, related to vessels or seaplanes meeting.

Section 146e, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 418, related to the course of vessels having the right of way, and the duty in aiding to avert collision.

Section 146f, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 418, related to crossing ahead of vessel having right of way.

Section 146g, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 418, related to duty of power-driven vessel to slacken speed.

Section 146h, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 418, provided that overtaking vessel keep out of the way of the overtaken vessel, defined "overtaken vessel".

Section 146i, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 419, related to power-driven vessels in narrow channels and in nearing bends in a channel.

Section 146j, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 419, related to right of way of fishing vessels, and obstruction of fairways.

Section 146k, act Oct. 11, 1951, ch. 495, §6, Pt. C, 65 Stat. 419, related to special circumstances requiring departure from rules.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1965, see Proc. No. 3632, Dec. 29, 1964, 29 F.R. 19167, and section 3 of Pub. L. 88-131, both set out as notes under section 1051 of this title.

§§ 147 to 147d. Repealed. Pub. L. 88-131, §3, Sept. 24, 1963, 77 Stat. 194

Section 147, act Oct. 11, 1951, ch. 495, §6, Pt. D, 65 Stat. 419, related to sound signals of vessels indicating course.

Section 147a, act Oct. 11, 1951, ch. 495, §6, Pt. D, 65 Stat. 419, related to additional precautions.

Section 147b, act Oct. 11, 1951, ch. 495, §6, Pt. D, 65 Stat. 420, related to local rules for harbors and inland waters.

Section 147c, act Oct. 11, 1951, ch. 495, §6, Pt. D, 65 Stat. 420, related to distress signals.

Section 147d, act Oct. 11, 1951, ch. 495, §6, Pt. D, 65 Stat. 420, related to orders to helmsmen, and has been omitted.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 1, 1963, see Proc. No. 3632, Dec. 29, 1964, 29 F.R. 19167, and section 3 of Pub. L. 88-131, both set out as notes under section 1051 of this title.

CHAPTER 3—NAVIGATION RULES FOR HARBORS, RIVERS, AND INLAND WATERS GENERALLY

SUBCHAPTER I—PRELIMINARY

Sec.

151. High seas and inland waters demarcation lines.

(a) Establishment and purpose.

(b) Applicability of other statutes; limitation; position.

(c) "United States" defined.

152. Regulation of length of towlines.

153. Penalty for use of unlawful towline.

154 to 159. Repealed.

SUBCHAPTER II—RULES CONCERNING LIGHTS, ETC.

171 to 183. Repealed.

SUBCHAPTER III—SOUND SIGNALS FOR FOG, ETC.; SPEED

191, 192. Repealed.

SUBCHAPTER IV—STEERING AND SAILING RULES AND SIGNALS

201 to 213. Repealed.

SUBCHAPTER V—NO VESSEL UNDER ANY CIRCUMSTANCES TO NEGLECT PROPER PRECAUTIONS

221, 222. Repealed.

SUBCHAPTER VI—DISTRESS SIGNALS

231. Repealed.

SUBCHAPTER VII—ORDERS

232. Repealed.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 2038 of this title.