

eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Coast Guard, and Commandant of Coast Guard, excepted from transfer when Coast Guard is operating as part of Navy under sections 1 and 3 of Title 14, Coast Guard.

Coast Guard transferred to Department of Transportation, and functions, powers, and duties relating to Coast Guard of Secretary of the Treasury and of other officers and offices of Department of the Treasury transferred to Secretary of Transportation by Pub. L. 89-670, §6(b)(1), Oct. 15, 1966, 80 Stat. 938. Section 6(b)(2) of Pub. L. 89-670, however, provided that notwithstanding such transfer of functions, Coast Guard shall operate as part of Navy in time of war or when President directs as provided in section 3 of Title 14, Coast Guard. See section 108 of Title 49, Transportation.

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.

§ 475. Regulations for Pearl Harbor, Hawaii

For the proper control, protection, and defense of the naval station, harbor, and entrance channel at Pearl Harbor, Territory of Hawaii, the Secretary of the Navy is authorized, empowered, and directed to adopt and prescribe suitable rules and regulations governing the navigation, movement, and anchorage of vessels of whatsoever character in the waters of Pearl Harbor, island of Oahu, Hawaiian Islands, and in the entrance channel to said harbor, and to take all necessary measures for the proper enforcement of such rules and regulations.

(Aug. 22, 1912, ch. 335, 37 Stat. 341.)

CODIFICATION

Section is from the Naval Appropriation Act for 1913.

ADMISSION OF HAWAII AS STATE

Admission of Hawaii into the Union was accomplished Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 24 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding section 491 of Title 48, Territories and Insular Possessions.

§ 476. Restrictions on tanker traffic in Puget Sound and adjacent waters

(a) The Congress finds that—

(1) the navigable waters of Puget Sound in the State of Washington, and the natural resources therein, are a fragile and important national asset;

(2) Puget Sound and the shore area immediately adjacent thereto is threatened by increased domestic and international traffic of tankers carrying crude oil in bulk which increases the possibility of vessel collisions and oil spills; and

(3) it is necessary to restrict such tanker traffic in Puget Sound in order to protect the navigable waters thereof, the natural resources therein, and the shore area immediately adjacent thereto, from environmental harm.

(b) Notwithstanding any other provision of law, on and after October 18, 1977, no officer, em-

ployee, or other official of the Federal Government shall, or shall have authority to, issue, renew, grant, or otherwise approve any permit, license, or other authority for constructing, renovating, modifying, or otherwise altering a terminal, dock, or other facility in, on, or immediately adjacent to, or affecting the navigable waters of Puget Sound, or any other navigable waters in the State of Washington east of Port Angeles, which will or may result in any increase in the volume of crude oil capable of being handled at any such facility (measured as of October 18, 1977), other than oil to be refined for consumption in the State of Washington.

(Pub. L. 95-136, §5, Oct. 18, 1977, 91 Stat. 1168.)

CHAPTER 11—BRIDGES OVER NAVIGABLE WATERS

SUBCHAPTER I—GENERAL PROVISIONS

- Sec. 491. Approval of and deviation from plans; exemptions.
- 492. Bridge as post route; limitation as to charges against Government; telegraph and telephone lines.
- 493. Use of railroad bridges by other railroad companies.
- 494. Obstruction of navigation; alterations and removals; lights and signals; draws.
- 495. Violations of orders respecting bridges and accessory works.
 - (a) Criminal penalties for violation; misdemeanor; fine; new offenses; jurisdiction: suits for recovery of removal expenses, enforcement of removal, and obstruction-to-navigation causes or questions.
 - (b) Civil penalties for violation; separate offenses; notice and hearing; assessment, collection, and remission; civil actions.
- 496. Time for commencement and completion of bridge.
- 497. "Persons" defined.
- 498. Reservation of right to alter or repeal.
- 498a, 498b. Repealed.
- 499. Regulations for drawbridges.
 - (a) Criminal penalties for violations; enforcement; rules and regulations.
 - (b) Nonstructural vessel appurtenances; unreasonable delays.
 - (c) Civil penalties for violation; notice and hearing; assessment, collection, and remission; civil actions.
- 500. Deflection of current; liability to riparian owners.
- 501. Omitted.
- 502. Alteration, removal, or repair of bridge or accessory obstructions to navigation.
 - (a) Criminal penalties for violation; alteration or removal requirements; notice and hearing; specification of changes; time for compliance; notice to United States Attorney; misdemeanor; fine; new offenses.
 - (b) Proper repair requirement.
 - (c) Civil penalties for violation; separate offenses; notice and hearing; assessment, collection, and remission; civil actions.
- 503 to 507. Repealed.
- 508. Amount of tolls.

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- 511. Definitions.
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- Sec.
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515. Contracts for project; guaranty of cost.
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520. Review of findings and orders.
521. Regulations and orders.
522. Existing provisions of law.
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528. Statement of construction costs of privately owned interstate bridges; investigation of costs; conclusiveness of findings; review.
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534. Conveyance of right, title, and interest of United States in bridges transferred to States or political subdivisions; terms and conditions.

SUBCHAPTER IV—INTERNATIONAL BRIDGES

535. Congressional consent to construction, maintenance, and operation of international bridges; conditions of consent.
535a. Congressional consent to State agreements with Canada and Mexico; Secretary of State's approval of agreements.
535b. Presidential approval; recommendations of Federal officials.
535c. Secretary of Transportation's approval; commencement and completion requirements; extension of time limits.
535d. Repealed.
535e. Ownership.
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 (b) State status of original applicant upon acquisition of right, title, and interest after termination of private entity licenses, contracts, or orders.
535f. Applicability of provisions.
535g. Federal navigable waters and commerce jurisdiction unaffected.
535h. Report of Secretary of Transportation's approval during fiscal year.
535i. Reservation of right to alter or repeal.

SUBCHAPTER I—GENERAL PROVISIONS

§ 491. Approval of and deviation from plans; exemptions

When, after March 23, 1906, authority is granted by Congress to any persons to construct and maintain a bridge across or over any of the navigable waters of the United States, such bridge shall not be built or commenced until the plans and specifications for its construction, together with such drawings of the proposed construction and such map of the proposed location as may be required for a full understanding of the subject, have been submitted to the Secretary of Transportation for the Secretary's approval, nor until the Secretary shall have approved such plans and specifications and the location of such bridge and accessory works; and when the plans for any bridge to be constructed under the provisions of sections 491 to 498 of this title, have been approved by the Secretary it shall not be lawful to deviate from such plans, either before or after completion of the structure, unless the modification of such plans has previously been submitted to and received the approval of the Secretary. This section shall not apply to any bridge over waters which are not subject to the ebb and flow of the tide and which are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce.

(Mar. 23, 1906, ch. 1130, §1, 34 Stat. 84; Pub. L. 97-322, title I, §107(c), Oct. 15, 1982, 96 Stat. 1582; Pub. L. 97-449, §2(d)(1), Jan. 12, 1983, 96 Stat. 2440; Pub. L. 98-557, §17(g)(1), Oct. 30, 1984, 98 Stat. 2869.)

AMENDMENTS

1984—Pub. L. 98-557 substituted "for the Secretary's approval, nor until the Secretary" for "and Chief of Engineers for their approval, nor until they" and struck out "by the Chief of Engineers and" after "have been approved", "of the Chief of Engineers and" after "received the approval", and "of Transportation" after "by the Secretary" and after "of the Secretary".

1983—Pub. L. 97-449 substituted "Secretary of Transportation" for "Secretary of War" wherever appearing. See Transfer of Functions note below.

1982—Pub. L. 97-322 inserted sentence at end relating to exemption.

SHORT TITLE

Sections 491 to 498 of this title are popularly known as the "Bridge Act of 1906" and the "General Bridge Act of 1906".

TRANSFER OF FUNCTIONS

Functions, powers, and duties of Secretary of the Army [formerly War] and other offices and officers of Department of the Army [formerly War] under this section to extent that they relate generally to location and clearances of bridges and causeways in navigable waters of United States transferred to and vested in Secretary of Transportation by Pub. L. 89-670, §6(g)(6)(B), Oct. 15, 1966, 80 Stat. 941. Pub. L. 97-449 amended this section to reflect transfer made by section 6(g)(6)(B) of Pub. L. 89-670, and repealed section 6(g)(6)(B).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 492, 493, 494, 495, 497, 498, 508, 530, 535, 535c of this title.