

**[§ 4104. Repealed. Pub. L. 101-595, title VI, § 603(3)(A), Nov. 16, 1990, 104 Stat. 2993]**

Section, Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 529, required Secretary to prescribe regulations to carry out provisions of this chapter.

**§ 4105. Uninspected passenger vessels**

(a) Chapter 43 of this title applies to an uninspected passenger vessel.

(b)(1) In applying this title with respect to an uninspected vessel of less than 24 meters overall in length that carries passengers to or from a port in the United States Virgin Islands, the Secretary shall substitute “12 passengers” for “6 passengers” each place it appears in section 2101 if the Secretary determines that the vessel complies with, as applicable to the vessel—

(A) the Code of Practice for the Safety of Small Commercial Motor Vessels (commonly referred to as the “Yellow Code”), as published by the U.K. Maritime and Coastguard Agency and in effect on January 1, 2014; or

(B) the Code of Practice for the Safety of Small Commercial Sailing Vessels (commonly referred to as the “Blue Code”), as published by such agency and in effect on such date.

(2) If the Secretary establishes standards to carry out this subsection—

(A) such standards shall be identical to those established in the Codes of Practice referred to in paragraph (1); and

(B) on any dates before the date on which such standards are in effect, the Codes of Practice referred to in paragraph (1) shall apply with respect to the vessels referred to in paragraph (1).

(c) In applying this title with respect to an uninspected vessel of less than 25 feet overall in length that carries passengers on Crane Lake or waters contiguous to such lake in St. Louis County, Minnesota, the Secretary shall substitute “12 passengers” for “6 passengers” each place it appears in section 2101.

(d) The Secretary shall, by regulation, require certain additional equipment which may include liferafts or other lifesaving equipment, construction standards, or specify additional operating standards for those uninspected passenger vessels defined in section 2101(53)(A) of this title.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 529; Pub. L. 103-206, title V, §511(b), Dec. 20, 1993, 107 Stat. 2442; Pub. L. 113-281, title III, §319, Dec. 18, 2014, 128 Stat. 3051; Pub. L. 115-232, div. C, title XXXV, §3541(b)(10), Aug. 13, 2018, 132 Stat. 2323; Pub. L. 115-282, title V, §502, Dec. 4, 2018, 132 Stat. 4269; Pub. L. 117-263, div. K, title CXVI, §11601(c)(2), Dec. 23, 2022, 136 Stat. 4146.)

**HISTORICAL AND REVISION NOTES**

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
4105 .....	46:1452 46:1453

Section 4105 provides that an uninspected passenger vessel is subject to Chapter 43, as a recreational vessel even when it is carrying not more than six passengers.

**Editorial Notes**

**AMENDMENTS**

2022—Subsec. (b)(1). Pub. L. 117-263, §11601(c)(2)(A), substituted “section 2101” for “section 2101(51)” in introductory provisions.

Subsec. (c). Pub. L. 117-263, §11601(c)(2)(A), substituted “section 2101” for “section 2101(51)”.

Subsec. (d). Pub. L. 117-263, §11601(c)(2)(B), substituted “section 2101(53)(A)” for “section 2101(51)(A)”.

2018—Subsec. (b)(1). Pub. L. 115-232, §3541(b)(10)(A), substituted “section 2101(51)” for “section 2101(42)” in introductory provisions.

Subsec. (c). Pub. L. 115-282, §502(2), added subsec. (c). Former subsec. (c) redesignated (d).

Pub. L. 115-232, §3541(b)(10)(B), substituted “section 2101(51)(A)” for “section 2101(42)(A)”.

Subsec. (d). Pub. L. 115-282, §502(1), redesignated subsec. (c) as (d).

2014—Subsecs. (b), (c). Pub. L. 113-281 added subsec. (b), redesignated former subsec. (b) as (c), and in subsec. (c) substituted “The” for “Within twenty-four months of the date of enactment of this subsection, the”.

1993—Pub. L. 103-206 designated existing provisions as subsec. (a) and added subsec. (b).

**§ 4106. Penalties**

If a vessel to which this chapter applies is operated in violation of this chapter or a regulation prescribed under this chapter, the owner, charterer, managing operator, agent, master, and individual in charge are each liable to the United States Government for a civil penalty of not more than \$5,000. The vessel also is liable in rem for the penalty.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 529; Pub. L. 100-540, §3, Oct. 28, 1988, 102 Stat. 2719.)

**HISTORICAL AND REVISION NOTES**

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
4106 .....	46:526a

Section 4106 provides a civil penalty of \$100 for a violation of this chapter or a regulation under this chapter. The vessel also is liable in rem.

**Editorial Notes**

**AMENDMENTS**

1988—Pub. L. 100-540 substituted “not more than \$5,000” for “\$100”.

**CHAPTER 43—RECREATIONAL VESSELS**

Sec. 4301.	Application.
4302.	Regulations.
4303.	Inspection and testing.
4304.	Importation of nonconforming vessels and equipment.
4305.	Exemptions and equivalents.
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4310.	Repair and replacement of defects.
4311.	Penalties and injunctions.
4312.	Engine cut-off switches.

**HISTORICAL AND REVISION NOTES**

Chapter 43 contains the laws applicable to recreational vessels, which originated primarily with the enactment of the Federal Boat Safety Act of 1971 (Public Law 92-75, 85 Stat. 213). That Act embraced a number of activities, but the portion restated in this chap-