

and safety agreement entered into by the Coast Guard that is in effect on Dec. 23, 2022, see section 11509(b) of Pub. L. 117-263, set out as a note under section 4502 of this title.

[§ 4503a. Repealed. Pub. L. 117-263, div. K, title CXV, § 11509(a)(3), Dec. 23, 2022, 136 Stat. 4137]

Section, added and amended Pub. L. 115-282, title V, § 508(a), (c), Dec. 4, 2018, 132 Stat. 4272, provided for an alternate safety compliance program for certain fishing vessels.

Statutory Notes and Related Subsidiaries

CONSTRUCTION OF REPEAL

Nothing in repeal by Pub. L. 117-263 to be construed to affect or apply to any alternative compliance and safety agreement entered into by the Coast Guard that is in effect on Dec. 23, 2022, see section 11509(b) of Pub. L. 117-263, set out as a Construction of 2022 Amendment note under section 4502 of this title.

§ 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.)

Editorial Notes

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, including ordering the individual in charge to return the vessel to a mooring and to remain there until the situation creating the hazard is corrected or ended; and

(2) may order the individual in charge of an uninspected fish processing vessel that does not have on board the certificate required under section 4503(a)(2) of this title to return the vessel to a mooring and to remain there until the vessel is in compliance with that section, except that this paragraph shall not apply with respect to a vessel to which section 4503a¹ applies.

(Added Pub. L. 100-424, § 2(a), Sept. 9, 1988, 102 Stat. 1587; amended Pub. L. 115-282, title V, § 509, Dec. 4, 2018, 132 Stat. 4274.)

¹ See References in Text note below.

Editorial Notes

REFERENCES IN TEXT

Section 4503a, referred to in par. (2), was repealed by Pub. L. 117-263, div. K, title CXV, § 11509(a)(3), Dec. 23, 2022, 136 Stat. 4137.

AMENDMENTS

2018—Par. (2). Pub. L. 115-282 substituted “4503(a)(2)” for “4503(1)” and inserted “, except that this paragraph shall not apply with respect to a vessel to which section 4503a applies” before period at end.

§ 4506. Exemptions

The Secretary may exempt a vessel from any part of this chapter if, under regulations prescribed by the Secretary (including regulations on special operating conditions), the Secretary finds that—

(1) good cause exists for granting an exemption; and

(2) the safety of the vessel and those on board will not be adversely affected.

(Added Pub. L. 100-424, § 2(a), Sept. 9, 1988, 102 Stat. 1587; amended Pub. L. 102-587, title V, § 5222, Nov. 4, 1992, 106 Stat. 5081; Pub. L. 105-383, title III, § 301(b)(6), Nov. 13, 1998, 112 Stat. 3417; Pub. L. 111-281, title VI, § 604(b), Oct. 15, 2010, 124 Stat. 2964; Pub. L. 114-120, title III, § 306(a)(5), Feb. 8, 2016, 130 Stat. 54.)

Editorial Notes

AMENDMENTS

2016—Pub. L. 114-120 struck out subsec. (a) designation before “The Secretary may”.

2010—Subsec. (b). Pub. L. 111-281 struck out subsec. (b) which read as follows: “A vessel to which this chapter applies is exempt from section 4502(b)(2)(B) of this title if it—

“(1) is less than 36 feet in length; and

“(2) is operating—

“(A) in internal waters of the United States; or

“(B) within 3 nautical miles from the baselines from which the territorial sea of the United States is measured.”

1998—Subsec. (b)(2). Pub. L. 105-383 added par. (2) and struck out former par. (2) which read as follows: “is not operating on the high seas.”

1992—Subsec. (b). Pub. L. 102-587 substituted “4502(b)(2)(B)” for “4502(b)(2)”.

Executive Documents

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.

§ 4507. Penalties

(a) The owner, charterer, managing operator, agent, master, and individual in charge of a vessel to which this chapter applies which is operated in violation of this chapter or a regulation prescribed under this chapter may each be assessed a civil penalty by the Secretary of not more than \$5,000. Any vessel with respect to which a penalty is assessed under this subsection is liable in rem for the penalty.

(b) A person willfully violating this chapter or a regulation prescribed under this chapter shall be fined not more than \$5,000, imprisoned for not more than one year, or both.