

Public Law 86-244

AN ACT

September 9, 1959
[S. 2118]

To amend section 4488 of the Revised Statutes, as amended, to authorize the Secretary of the Department in which the Coast Guard is operating to prescribe regulations governing lifesaving equipment, firefighting equipment, muster lists, ground tackle, hawsers, and bilge systems aboard vessels, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4488 of the Revised Statutes, as amended (46 U.S.C. 481), is further amended to read as follows:

Coast Guard.
Lifesaving
equipment, regula-
tion.

“(a) In order to provide against hazard to life and property, the Secretary of the Department in which the Coast Guard is operating (hereinafter referred to as the ‘Secretary’) shall prescribe such rules and regulations as may be necessary for vessels subject to inspection and certification by the United States Coast Guard with respect to the following matters:

“(1) Lifesaving equipment, including, but not limited to, the number, type, size, capacity, details of construction, methods of operation, stowage, maintenance, manning, use, testing, and inspecting of such equipment, and drills and exercises necessary to assure proper functioning and use of such equipment.

“(2) Firefighting equipment and precautionary measures guarding against fire, including, but not limited to, the number, type, size, capacity, details of construction, methods of operation, stowage, maintenance, manning, use, testing, and inspecting of such equipment, and drills and exercises necessary to assure proper functioning and use of such equipment.

“(3) Muster lists, including, but not limited to, the posting of such lists, and prescribing the special duties to be performed by crew members in the event of emergency.

“(4) Ground tackle and hawsers, including, but not limited to, the number, size, stowage, use, maintenance, manning, testing, and inspection.

“(5) Bilge systems for the removal of liquid from the various parts of the vessel, including, but not limited to, design, installation, capacity, composition, functioning, manning, testing, and inspection.

“(b) (1) In prescribing rules and regulations pursuant to this section, the Secretary shall give consideration to the age, size, service, route, and other factors affecting the operation of the vessels.

“(2) Unless otherwise prescribed by treaty or other international agreement, the rules and regulations prescribed by the Secretary pursuant to this section shall be applicable to all foreign vessels carrying passengers from ports of the United States.

Foreign vessels.

“(3) The Secretary may, upon his own motion, or upon the application of any interested party, determine that the application to any vessel of the rules and regulations prescribed pursuant to this section, or any part thereof, is not necessary in the public interest, and he may order such vessel exempt from their application upon such terms and conditions and for such periods of time as he may specify in the order.

Exemptions.

“(c) The owner or operator of any vessel who neglects or refuses to provide and equip his vessel with the lifesaving, firefighting, or other equipment, or take other measures required by the rules or regulations issued pursuant to this section shall be liable to the United States in a penalty of \$1,000 for each such neglect or refusal for which sum the vessel shall be liable and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction

Violation, penalty.

of the violation; and any master or person in charge of such vessel who so defaults shall be liable to a penalty of \$500.

46 USC 170-498
passim.

“(d) Any person who willfully and knowingly manufactures or sells, or offers for sale, or has in his possession with intent to sell, any lifesaving, firefighting, or other equipment subject to the provisions of title 52 of the Revised Statutes, as amended, which is so defective as to be inefficient to accomplish the purpose for which it is intended, shall be fined not more than \$10,000 and may, in addition thereto, in the discretion of the Court, be imprisoned for a term not exceeding five years.”

SEC. 2. To the extent that any existing provision of law, or any rule or regulation prescribed pursuant thereto, is in conflict with any provision of section 4488 of the Revised Statutes (46 U.S.C. 481), such section as amended by this Act, and the rules and regulations hereafter prescribed pursuant thereto, shall prevail.

Repeals.

SEC. 3. (a) The following Acts or parts of Acts and all amendments thereto are hereby repealed:

- (1) Section 4470 of the Revised Statutes (46 U.S.C. 463).
- (2) Section 4471 of the Revised Statutes (46 U.S.C. 464).
- (3) Section 4479 of the Revised Statutes (46 U.S.C. 472).
- (4) Section 4481 of the Revised Statutes (46 U.S.C. 474).
- (5) Section 4482 of the Revised Statutes (46 U.S.C. 475).
- (6) Section 4483 of the Revised Statutes (46 U.S.C. 476).
- (7) Section 4492 of the Revised Statutes (46 U.S.C. 490).
- (8) Section 2(a) of the Act of October 9, 1940 (ch. 777, 54 Stat. 1028; 46 U.S.C. 463a).
- (9) Section 11 of the Act of May 28, 1908 (ch. 212, 35 Stat. 428; 46 U.S.C. 396).

(b) Any reference in any other law to any Act, or any part thereof, repealed by this Act shall be deemed as a reference to section 4488 of the Revised Statutes, as amended (46 U.S.C. 481).

Exceptions.

SEC. 4. Any rights or liabilities existing on the effective date of this Act shall not be affected by the enactment of this Act. Any procedures or rules or regulations in effect on the effective date of this Act shall remain in effect until modified or superseded under the authority of this Act.

Approved September 9, 1959.

Public Law 86-245

AN ACT

September 9, 1959
[S. 2435]

To provide that certain funds in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians be transferred to the credit of the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado.

Confederated
Bands of Ute In-
dians, funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the entire proceeds of the judgment in Court of Claims case numbered 47565 entitled “The Confederated Bands of Ute Indians against the United States of America”, now on deposit in the Treasury of the United States to the credit of the Confederated Bands of Ute Indians, together with all accrued interest thereon, be transferred and credited to the account of the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, to be used as directed by the Ute Mountain Tribal Council and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to Federal or State income tax.

Approved September 9, 1959.