

1984—Pub. L. 98-369 amended section generally and, among other changes, struck out all references to a facilities improvement program, inserted provisions directing the Secretary to establish guidelines prescribing the purposes for which amounts available under this chapter for State recreational safety boating programs may be used, and made available to the Secretary an amount equal to one-third of the amount transferred for each fiscal year to the Boat Safety Account under section 9503(c)(4) of title 26 to be used for expenditures out of the operating expenses account of the Coast Guard for services provided by the Coast Guard for recreational boating safety, including services provided by the Coast Guard Auxiliary.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2005 AMENDMENTS

From Aug. 10, 2005, to end of fiscal year 2005, subsecs. (a) and (c)(1), (3) of this section considered to read as immediately before enactment of Pub. L. 109-59, except as provided by the amendments by section 203 of Pub. L. 109-74, see section 101(b) of Pub. L. 109-74, set out as a note under section 777b of Title 16, Conservation.

Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 10102 of Pub. L. 109-59, set out as a note under section 777b of Title 16, Conservation.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-448 effective Oct. 1, 1988, see section 6(e) of Pub. L. 100-448, set out as a note under section 777 of Title 16, Conservation.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

BOATING SAFETY FUND

Pub. L. 99-272, title VI, §6001, Apr. 7, 1986, 100 Stat. 121, as amended by Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095, required that one-third of the amount transferred for fiscal year 1985 to the Boat Safety Account under former section 9503(c)(4) of Title 26, be deposited in the general fund of the Treasury as proprietary receipts of the department in which the Coast Guard was operating and ascribed to Coast Guard activities and that former section 13106(a) of this title be applied with respect to fiscal year 1985 by substituting “one-third” for “two-thirds” in the first sentence.

§ 13108. Computing amounts allocated to States and State records requirements

(a) Amounts allocated and distributed under section 13104 of this title shall be computed and paid to the States as follows:

- (1) During the second quarter of a fiscal year and on the basis of computations made under section 13106 of this title and submitted by the States for the preceding fiscal year, the Secretary shall determine the percentage of the amounts available to which each eligible State is entitled for the next fiscal year.
- (2) Notice of the percentage and of the dollar amount, if it can be determined, for each State shall be provided to the States at the earliest practicable time.
- (3) If the Secretary determines that an amount made available to a State for a prior

fiscal year is greater or less than the amount that should have been made available to the State for the prior fiscal year, because of later or more accurate State expenditure information, the amount for the current fiscal year may be increased or decreased by the appropriate amount.

(b) The Secretary shall schedule the payment of amounts, consistent with the program purposes and applicable regulations prescribed by the Secretary of the Treasury, to minimize the time elapsing between the transfer of amounts from the Treasury and the subsequent disbursement of the amounts by a State.

(c) The Secretary shall notify a State authority or agency that further payments will be made to the State only when the program complies with the prescribed standards or a failure to comply substantially with standards is corrected if the Secretary, after reasonable notice to the designated State authority or agency, finds that—

- (1) the State recreational boating safety program submitted by the State and accepted by the Secretary has been so changed that it no longer complies with this chapter or standards prescribed by regulations; or
- (2) in carrying out the State recreational boating safety program, there has been a failure to comply substantially with the standards prescribed by regulations.

(d) The Secretary shall provide for the accounting, budgeting, and other fiscal procedures that are necessary and reasonable to carry out this section properly and efficiently. Records related to amounts allocated under this chapter shall be made available to the Secretary and the Comptroller General to conduct audits.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 596; Pub. L. 98-369, div. A, title X, §1011(f), July 18, 1984, 98 Stat. 1013; Pub. L. 101-595, title III, §312(d), Nov. 16, 1990, 104 Stat. 2987; Pub. L. 104-324, title VII, §746(a)(3), (4), Oct. 19, 1996, 110 Stat. 3943; Pub. L. 109-304, §16(c)(6), Oct. 6, 2006, 120 Stat. 1706.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
13108	46:1480

Section 13108 sets forth the manner that the Secretary shall compute the amounts to be allocated to the States, State record requirements, and authority for the General Accounting Office to review the records when conducting audits.

Editorial Notes

AMENDMENTS

- 2006—Subsec. (a). Pub. L. 109-304 substituted “section 13104” for “section 13103” in introductory provisions and “section 13106” for “section 13105” in par. (1).
- 1996—Subsec. (a)(1). Pub. L. 104-324 substituted “preceding” for “proceeding” and “Secretary” for “Secretary”.
- 1990—Subsec. (a)(1). Pub. L. 101-595 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “During the last quarter of a fiscal year and on the basis of computations made under section 13105 of this title and submitted by the States, the Secretary shall determine the percentage of the amounts available for the next fiscal year to which each eligible State is entitled.”

1984—Subsec. (c)(1), (2). Pub. L. 98-369 struck out “and facilities improvement” after “boating safety”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

§ 13109. Consultation, cooperation, and regulation

(a) In carrying out responsibilities under this chapter, the Secretary may consult with State and local governments, public and private agencies, organizations and committees, private industry, and other persons having an interest in boating safety.

(b) The Secretary may advise, assist, and cooperate with the States and other interested public and private agencies in planning, developing, and carrying out boating safety programs. Acting under section 141¹ of title 14, the Secretary shall ensure the fullest cooperation between the State and United States Government authorities in promoting boating safety by making agreements and other arrangements with States when possible. Subject to chapter 23¹ of title 14, the Secretary may make available, on request of a State, the services of members of the Coast Guard Auxiliary to assist the State in promoting boating safety on State waters.

(c) The Secretary may prescribe regulations to carry out this chapter.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 597; Pub. L. 98-369, div. A, title X, §1011(g), July 18, 1984, 98 Stat. 1013.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
13109	46:1481

Section 13109 authorizes the Secretary to consult with State and local governments, public and private agencies, and any other persons that have an interest in boating safety.

This section also authorizes the Secretary to advise and assist the States and other public and private agencies in the planning and carrying out of their boating safety and facilities improvement programs.

Editorial Notes

REFERENCES IN TEXT

Section 141 of title 14, referred to in subsec. (b), was redesignated section 701 of title 14 by Pub. L. 115-282, title I, §106(b), Dec. 4, 2018, 132 Stat. 4203, and references to section 141 of title 14 deemed to refer to such redesignated section, see section 123(b)(1) of Pub. L. 115-282, set out as a References to Sections of Title 14 as Redesignated by Pub. L. 115-282 note preceding section 101 of Title 14, Coast Guard.

Chapter 23 of title 14, referred to in subsec. (b), was comprised of sections 821 to 832 prior to the renumbering of such sections as sections 3901 to 3913, respectively, of title 14 by Pub. L. 115-282, title I, §119(b), Dec. 4, 2018, 132 Stat. 4236. After renumbering, such sections now comprise chapter 39 of Title 14.

¹ See References in Text note below.

AMENDMENTS

1984—Subsec. (a). Pub. L. 98-369 struck out “and facilities improvement” after “boating safety”.

Subsec. (b). Pub. L. 98-369 struck out “and facilities improvement” after “and carrying out boating safety”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

[§ 13110. Repealed. Pub. L. 115-282, title VI, § 601(c)(4)(A), Dec. 4, 2018, 132 Stat. 4289]

Section, Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 598; Pub. L. 99-626, §3(a)(1), (b)(1), (2), Nov. 7, 1986, 100 Stat. 3505; Pub. L. 100-448, §20(a), Sept. 28, 1988, 102 Stat. 1846; Pub. L. 102-241, §24, Dec. 19, 1991, 105 Stat. 2217; Pub. L. 104-324, title III, §304(f), Oct. 19, 1996, 110 Stat. 3918; Pub. L. 107-295, title III, §335, Nov. 25, 2002, 116 Stat. 2105; Pub. L. 108-293, title IV, §418(f), Aug. 9, 2004, 118 Stat. 1049; Pub. L. 111-281, title VI, §621(b), Oct. 15, 2010, 124 Stat. 2976, established the National Boating Safety Advisory Council. See section 15105 of this title.

PART J—MEASUREMENT OF VESSELS

HISTORICAL AND REVISION NOTES

Part J contains provisions that apply to the measurement of a vessel to determine its tonnage. Tonnage is a measurement of a vessel’s volume and is used for international, customs, and regulatory purposes. This part implements the 1969 International Convention on Tonnage Measurement of Ships and provides a framework for phasing in the international system as the method of measuring ships domestically, to establish uniformity in ship measurement. The availability of an alternate domestic regulatory system of measurement is continued so that the application of domestic laws will be preserved in order that vessels engaged in domestic commerce will not be adversely affected.

CHAPTER 141—GENERAL

Sec.	
14101.	Definitions.
[14102.	Repealed.]
14103.	Delegation of authority.
14104.	Measurement to determine application of a law.

Editorial Notes

AMENDMENTS

1990—Pub. L. 101-595, title VI, §603(12)(B), Nov. 16, 1990, 104 Stat. 2993, struck out item 14102 “Regulations”.

§ 14101. Definitions

In this part—

(1) “Convention” means the International Convention on Tonnage Measurement of Ships, 1969.

(2) “existing vessel” means a vessel the keel of which was laid or that was at a similar stage of construction before July 18, 1982.

(3) “Great Lakes” means—

- (A) the Great Lakes; and
- (B) the St. Lawrence River west of—

(i) a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island; and

(ii) on the north side of Anticosti Island, the meridian of longitude 63 degrees west.