

Subsec. (i). Pub. L. 115-232, § 3543(a)(3), substituted “The Secretary shall maintain” for “Within 6 months after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary shall issue”.

Subsec. (k)(1). Pub. L. 115-232, § 3541(b)(9)(A), substituted “section 2101(31)” for “section 2101(22)” in introductory provisions.

Subsec. (l). Pub. L. 115-232, § 3541(b)(9)(B), added subsec. (l) and struck out former subsec. (l) which defined “Commandant” and “owner”.

2014—Subsec. (g)(3)(A)(ii). Pub. L. 113-281, § 321(a)(1), substituted “each incident specified in clause (i) to the Internet website maintained by the Secretary of Transportation under paragraph (4)(A)” for “the incident to an Internet based portal maintained by the Secretary”.

Subsec. (g)(3)(A)(iii). Pub. L. 113-281, § 321(a)(2), substituted “Internet website maintained by the Secretary of Transportation under paragraph (4)(A)” for “Internet based portal maintained by the Secretary”.

Subsec. (g)(4)(A). Pub. L. 113-281, § 321(b)(1), added subpar. (A) and struck out former subpar. (A). Prior to amendment, text read as follows: “The Secretary shall maintain a statistical compilation of all incidents described in paragraph (3)(A)(i) on an Internet site that provides a numerical accounting of the missing persons and alleged crimes recorded in each report filed under paragraph (3)(A)(i) that are no longer under investigation by the Federal Bureau of Investigation. The data shall be updated no less frequently than quarterly, aggregated by cruise line, each cruise line shall be identified by name, and each crime shall be identified as to whether it was committed by a passenger or a crew member.”

Subsec. (g)(4)(B). Pub. L. 113-281, § 321(b)(2), substituted “Secretary of Transportation” for “Secretary”.

Statutory Notes and Related Subsidiaries

ADMINISTRATIVE PROVISIONS

Pub. L. 116-283, div. G, title LVXXXIV [LXXXIV], § 8440(c)(2), Jan. 1, 2021, 134 Stat. 4742, provided that:

“(A) STUDY AND REPORT.—Each owner of a vessel to which section 3507 of title 46, United States Code, applies shall, not later than March 1, 2023, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the total number of voyages for the preceding year and the percentage of those voyages that were 30 days or longer.

“(B) INTERIM STANDARDS.—Not later than 180 days after the date of enactment of this Act [Jan. 1, 2021], the Commandant [of the Coast Guard], in consultation with the Federal Bureau of Investigation, shall promulgate interim standards for the retention of records of video surveillance.

“(C) FINAL STANDARDS.—Not later than 1 year after the date of enactment of this Act, the Commandant, in consultation with the Federal Bureau of Investigation, shall promulgate final standards for the retention of records of video surveillance.

“(D) CONSIDERATIONS.—In promulgating standards under subparagraphs (B) and (C) [probably should be ‘(C)’], the Commandant shall—

“(i) consider factors that would aid in the investigation of serious crimes, including the results of the report by the Commandant provided under subparagraph (A), as well as crimes that go unreported until after the completion of a voyage;

“(ii) consider the different types of video surveillance systems and storage requirements in creating standards both for vessels currently in operation and for vessels newly built;

“(iii) consider privacy, including standards for permissible access to and monitoring and use of the records of video surveillance; and

“(iv) consider technological advancements, including requirements to update technology.”

FINDINGS

Pub. L. 111-207, § 2, July 27, 2010, 124 Stat. 2243, provided that: “The Congress makes the following findings:

“(1) There are approximately 200 overnight ocean-going cruise vessels worldwide. The average ocean-going cruise vessel carries 2,000 passengers with a crew of 950 people.

“(2) In 2007 alone, approximately 12,000,000 passengers were projected to take a cruise worldwide.

“(3) Passengers on cruise vessels have an inadequate appreciation of their potential vulnerability to crime while on ocean voyages, and those who may be victimized lack the information they need to understand their legal rights or to know whom to contact for help in the immediate aftermath of the crime.

“(4) Sexual violence, the disappearance of passengers from vessels on the high seas, and other serious crimes have occurred during luxury cruises.

“(5) Over the last 5 years, sexual assault and physical assaults on cruise vessels were the leading crimes investigated by the Federal Bureau of Investigation with regard to cruise vessel incidents.

“(6) These crimes at sea can involve attacks both by passengers and crewmembers on other passengers and crewmembers.

“(7) Except for United States flagged vessels, or foreign flagged vessels operating in an area subject to the direct jurisdiction of the United States, there are no Federal statutes or regulations that explicitly require cruise lines to report alleged crimes to United States Government officials.

“(8) It is not known precisely how often crimes occur on cruise vessels or exactly how many people have disappeared during ocean voyages because cruise line companies do not make comprehensive, crime-related data readily available to the public.

“(9) Obtaining reliable crime-related cruise data from governmental sources can be difficult, because multiple countries may be involved when a crime occurs on the high seas, including the flag country for the vessel, the country of citizenship of particular passengers, and any countries having special or maritime jurisdiction.

“(10) It can be difficult for professional crime investigators to immediately secure an alleged crime scene on a cruise vessel, recover evidence of an on-board offense, and identify or interview potential witnesses to the alleged crime.

“(11) Most cruise vessels that operate into and out of United States ports are registered under the laws of another country, and investigations and prosecutions of crimes against passengers and crewmembers may involve the laws and authorities of multiple nations.

“(12) The Department of Homeland Security has found it necessary to establish 500-yard security zones around cruise vessels to limit the risk of terrorist attack. Recently piracy has dramatically increased throughout the world.

“(13) To enhance the safety of cruise passengers, the owners of cruise vessels could upgrade, modernize, and retrofit the safety and security infrastructure on such vessels by installing peep holes in passenger room doors, installing security video cameras in targeted areas, limiting access to passenger rooms to select staff during specific times, and installing acoustic hailing and warning devices capable of communicating over distances.”

§ 3508. Crime scene preservation training for passenger vessel crewmembers

(a) IN GENERAL.—The Secretary, in consultation with the Director of the Federal Bureau of Investigation and the Maritime Administration, shall maintain training standards and curricula to allow for the certification of passenger vessel

security personnel, crewmembers, and law enforcement officials on the appropriate methods for prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment. The Administrator of the Maritime Administration may certify organizations in the United States and abroad that offer the curriculum for training and certification under subsection (c).

(b) **MINIMUM STANDARDS.**—The standards established by the Secretary under subsection (a) shall include—

(1) the training and certification of vessel security personnel, crewmembers, and law enforcement officials in accordance with accepted law enforcement and security guidelines, policies, and procedures, including recommendations for incorporating a background check process for personnel trained and certified in foreign ports;

(2) the training of students and instructors in all aspects of prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment; and

(3) the provision or recognition of off-site training and certification courses in the United States and foreign countries to develop and provide the required training and certification described in subsection (a) and to enhance security awareness and security practices related to the preservation of evidence in response to crimes on board passenger vessels.

(c) **CERTIFICATION REQUIREMENT.**—No vessel to which this section applies may enter a United States port on a voyage (or voyage segment) on which a United States citizen is a passenger unless there is at least 1 crewmember onboard who is certified as having successfully completed training in the prevention, detection, evidence preservation, and reporting of criminal activities in the international maritime environment on passenger vessels under subsection (a).

(d) **CIVIL PENALTY.**—Any person that violates this section or a regulation under this section shall be liable for a civil penalty of not more than \$50,000.

(e) **DENIAL OF ENTRY.**—The Secretary may deny entry into the United States to a vessel to which this section applies if the owner of the vessel—

(1) commits an act or omission for which a penalty may be imposed under subsection (d); or

(2) fails to pay a penalty imposed on the owner under subsection (d).

(Added Pub. L. 111–207, §3(a), July 27, 2010, 124 Stat. 2250; amended Pub. L. 115–232, div. C, title XXXV, §3543(b), Aug. 13, 2018, 132 Stat. 2324.)

Editorial Notes

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–232, §3543(b)(1), substituted “The Secretary” for “Within 1 year after the date of enactment of the Cruise Vessel Security and Safety Act of 2010, the Secretary” and “maintain” for “develop”.

Subsec. (c). Pub. L. 115–232, §3543(b)(2), substituted “No” for “Beginning 2 years after the standards are established under subsection (b), no”.

Subsec. (d). Pub. L. 115–232, §3543(b)(3), redesignated subsec. (e) as (d) and struck out former subsec. (d) which related to interim training requirement.

Subsec. (e). Pub. L. 115–232, §3543(b)(3), (4), redesignated subsec. (f) as (e) and substituted “subsection (d)” for “subsection (e)” in pars. (1) and (2). Former subsec. (e) redesignated (d).

Subsec. (f). Pub. L. 115–232, §3543(b)(3), redesignated subsec. (f) as (e).

Statutory Notes and Related Subsidiaries

EXEMPTIONS FOR CERTAIN PASSENGER VESSELS

Pub. L. 117–263, div. K, title CXV, §11510, Dec. 23, 2022, 136 Stat. 4137, provided that: “Notwithstanding any other provision of law, requirements authorized under sections 3508 and 3509 of title 46, United States Code, shall not apply to any passenger vessel, as defined in section 2101 of such title—

“(1) that carries in excess of 250 passengers;

“(2) that is, or was, in operation exclusively within the inland rivers and internal waters of the United States on voyages inside the Boundary Line, as defined in section 103 of such title, on or before July 27, 2030; and

“(3) the operators or charterers of which operated any documented vessels with a coastwise endorsement prior to January 1, 2024.”

DEFINITIONS

For definition of “owner” as used in this section, see section 3507(l) of this title.

§ 3509. Medical standards

The owner of a vessel to which section 3507 applies shall ensure that—

(1) a physician is always present and available to treat any passengers who may be on board the vessel in the event of an emergency situation;

(2) the vessel is in compliance with the Health Care Guidelines for Cruise Ship Medical Facilities established by the American College of Emergency Physicians; and

(3) the initial safety briefing given to the passengers on board the vessel includes—

(A) the location of the vessel’s medical facilities; and

(B) the appropriate steps passengers should follow during a medical emergency.

(Added Pub. L. 116–283, div. G, title LVXXXIII [LXXXIII], §8322(a), Jan. 1, 2021, 134 Stat. 4702.)

Statutory Notes and Related Subsidiaries

EXEMPTIONS FOR CERTAIN PASSENGER VESSELS

For provisions exempting certain passenger vessels from the requirements authorized under this section, see section 11510 of Pub. L. 117–263, set out as a note under section 3508 of this title.

§ 3510. Additional medical and safety standards

(a) **AUTOMATED EXTERNAL DEFIBRILLATORS.**—Not later than 1 year after the date of enactment of this section, the Secretary, in consultation with the Secretary of Health and Human Services and other appropriate Federal agencies, shall promulgate regulations to—

(1) require that the owner of a vessel to which section 3507 applies install, and maintain in working order, automated external defibrillators on such vessel;

(2) require that such defibrillators be placed throughout such vessel in clearly designated locations;