

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;

(3) require that such defibrillators are available for passenger and crew access in the event of an emergency; and

(4) require that automated external defibrillators, or adjacent equipment, allow passengers and crew to easily contact medical staff of the vessel.

(b) DEFINITION OF OWNER.—In this section, the term “owner” has the meaning given such term in section 3507.

(Added Pub. L. 117–14, §3(a), May 24, 2021, 135 Stat. 275.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (a), is the date of enactment of Pub. L. 117–14, which was approved May 24, 2021.

CHAPTER 37—CARRIAGE OF LIQUID BULK DANGEROUS CARGOES

Sec.	
3701.	Definitions.
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3717.	Marine safety information system.
3718.	Penalties.
3719.	Reduction of oil spills from single hull non-self-propelled tank vessels.

HISTORICAL AND REVISION NOTES

Chapter 37 consolidates the laws that are applicable to vessels that transport oil or hazardous material in bulk as cargo or cargo residue.

The history of Federal authority to carry out a tank vessel safety program begins with the enactment of the so-called Tank Vessel Act of 1936 which, as amended, is presently codified in section 391a of title 46, United States Code. The 1936 Act remained essentially the same until it was amended by the Ports and Waterways Safety Act of 1972. The 1972 amendment contained more specific standards for the protection of a tank vessel and its crew and added vessel standards to improve the quality of the marine environment. After a rash of tank vessel accidents during the latter part of 1976 and early 1977 within our territorial seas and in nearby coastal waters, there was an outpouring of public attention to the need to protect United States ports and waterways, for the safety of tank vessels, and for the protection of the marine environment. This led to the enactment of the Port and Tanker Safety Act of 1978, which provided broader and more extensive regulatory authority over areas already regulated and over many areas not previously regulated. It provided for improvements in the supervision and control of vessels of all types operating in the navigable waters of the United States, and in the safety of all tank vessels, foreign or domestic, that transport or transfer oil or hazardous cargoes in ports or places subject to the jurisdiction of

the United States. The 1978 amendments also reflect, in part, certain tank vessel standards and requirements that have been accepted internationally, in particular those developed by the International Conference on Tanker Safety and Pollution Prevention held in London in February, 1978.

Editorial Notes

AMENDMENTS

2006—Pub. L. 109–304, §15(14), Oct. 6, 2006, 120 Stat. 1703, inserted “single hull” before “non-self-propelled” in item 3719.

1996—Pub. L. 104–324, title IX, §901(c), Oct. 19, 1996, 110 Stat. 3947, added item 3719.

1990—Pub. L. 101–380, title IV, §4115(c), Aug. 18, 1990, 104 Stat. 520, added item 3703a.

§ 3701. Definitions

In this chapter—

(1) “existing”, when referring to a type of vessel to which this chapter applies, means a vessel that is not a new vessel.

(2) “new”, when referring to a type of vessel to which this chapter applies, means a vessel—
(A) for which the building contract is placed after June 1, 1979;

(B) in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction, after January 1, 1980;

(C) the delivery of which is after June 1, 1982; or

(D) that has undergone a major conversion under a contract made after June 1, 1979, or construction work that began after January 1, 1980, or was completed after June 1, 1982.

(3) “person” means an individual (even if not a citizen or national of the United States), a corporation, partnership, association, or other entity (even if not organized or existing under the laws of a State), the United States Government, a State or local government, a government of a foreign country, or an entity of one of those governments.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 521; Pub. L. 99–509, title V, §5102(b)(5), Oct. 21, 1986, 100 Stat. 1927; Pub. L. 100–424, §8(c)(2), Sept. 9, 1988, 102 Stat. 1593; Pub. L. 115–232, div. C, title XXXV, §3541(a)(2), Aug. 13, 2018, 132 Stat. 2323.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
3701(1)	46:391a(2)(R)
3701(2)	46:391a(2)(P)
3701(3)	46:391a(2)(Q)
3701(4)	46:391a(2)(F)
3701(5)	46:391a(2)(J)
3701(6)	46:391a(2)(K)

Section 3701 contains definitions that are of a special nature with limited applicability to this chapter.

Editorial Notes

AMENDMENTS

2018—Pars. (2) to (4). Pub. L. 115–232 redesignated pars. (3) and (4) as (2) and (3), respectively.

1988—Par. (2). Pub. L. 100–424 struck out par. (2) which read as follows: “major conversion” means a conversion of an existing vessel that substantially changes the dimensions or carrying capacity of the vessel or changes the type of vessel or substantially prolongs its life or that otherwise so changes the vessel that it is essentially a new vessel, as decided by the Secretary.”