

2012—Subsec. (b). Pub. L. 112-213 designated existing provisions as par. (1), inserted par. (1) heading, and added pars. (2) and (3).

2008—Subsec. (b). Pub. L. 110-417 reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “When the head of an agency responsible for the administration of the navigation or vessel-inspection laws considers it necessary in the interest of national defense, the individual may waive compliance with those laws to the extent, in the manner, and on the terms the individual prescribes.”

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 116-283, div. C, title XXXV, § 3502(a)(2), Jan. 1, 2021, 134 Stat. 4398, provided that: “The amendments made by paragraph (1) [amending this section] shall apply with respect to waivers issued after the date of the enactment of this Act [Jan. 1, 2021].”

#### § 502. Cargo exempt from forfeiture

Cargo on a vessel is exempt from forfeiture under this title if—

(1) the cargo is owned in good faith by a person not the owner, master, or crewmember of the vessel; and

(2) the customs duties on the cargo have been paid or secured for payment as provided by law.

(Pub. L. 109-304, § 4, Oct. 6, 2006, 120 Stat. 1490.)

##### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
502 .....	46 App.:326.	R.S. § 4378.

#### § 503. Notice of seizure

When a forfeiture of a vessel or cargo accrues, the official of the United States Government required to give notice of the seizure of the vessel or cargo shall include in the notice, if they are known to that official, the name and the place of residence of the owner or consignee at the time of the seizure.

(Pub. L. 109-304, § 4, Oct. 6, 2006, 120 Stat. 1490.)

##### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
503 .....	46 App.:327.	R.S. § 4379.

#### § 504. Remission of fees and penalties

Any part of a fee, tax, or penalty paid or a forfeiture incurred under a law or regulation relating to vessels or seamen may be remitted if—

(1) application for the remission is made within one year after the date of the payment or forfeiture; and

(2) it is found that the fee, tax, penalty, or forfeiture was improperly or excessively imposed.

(Pub. L. 109-304, § 4, Oct. 6, 2006, 120 Stat. 1491.)

##### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
504 .....	46:2108.	

This section replaces 46 U.S.C. 2108, which was enacted as part of the codification of subtitle II of title

46 in 1983. That provision was based on section 26 of the Act of June 26, 1884, ch. 121, 23 Stat. 59, which prior to the subtitle II codification appeared at 46 U.S.C. 8 (1982 ed.). In the enactment of 46 U.S.C. 2108, the scope of the 1884 provision was narrowed, presumably inadvertently. This section restores the remissions authority to its prior scope. Note that 19 C.F.R. § 4.24 (2003) still refers to “the authority to make refunds in accordance with section 26 of the Act of June 26, 1884 (46 U.S.C. 8)” as if that provision had not been replaced by 46 U.S.C. 2108 in 1983.

#### § 505. Penalty for violating regulation or order

A person convicted of knowingly and willfully violating a regulation or order of the Federal Maritime Commission or the Secretary of Transportation under subtitle IV or V of this title, for which no penalty is expressly provided, shall be fined not more than \$500. Each day of a continuing violation is a separate offense.

(Pub. L. 109-304, § 4, Oct. 6, 2006, 120 Stat. 1491.)

##### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
505 .....	46 App.:1228 (last par.).	June 29, 1936, ch. 858, title VIII, § 806(d); as added Aug. 4, 1939, ch. 417, § 13, 53 Stat. 1187; Pub. L. 97-31, § 12(125), Aug. 6, 1981, 95 Stat. 164.

## Subtitle II—Vessels and Seamen

### PART A—GENERAL PROVISIONS

Chapter	Sec.
<b>21. General .....</b>	<b>2101</b>
<b>23. Operation of Vessels Generally .....</b>	<b>2301</b>

### PART B—INSPECTION AND REGULATION OF VESSELS

<b>31. General .....</b>	<b>3101</b>
<b>32. Management of Vessels .....</b>	<b>3201</b>
<b>33. Inspection Generally .....</b>	<b>3301</b>
<b>35. Carriage of Passengers .....</b>	<b>3501</b>
<b>37. Carriage of Liquid Bulk Dangerous Cargoes .....</b>	<b>3701</b>
<b>[39. Repealed.] .....</b>	
<b>41. Uninspected Vessels Generally .....</b>	<b>4101</b>
<b>43. Recreational Vessels .....</b>	<b>4301</b>
<b>45. Uninspected Commercial Fishing Industry Vessels .....</b>	<b>4501</b>
<b>47. Abandonment of Barges .....</b>	<b>4701</b>
<b>49. Oceangoing Non-Passenger Commercial Vessels .....</b>	<b>4901</b>

### PART C—LOAD LINES OF VESSELS

<b>51. Load Lines .....</b>	<b>5101</b>
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### PART D—MARINE CASUALTIES

<b>61. Reporting Marine Casualties .....</b>	<b>6101</b>
<b>63. Investigating Marine Casualties .....</b>	<b>6301</b>

### PART E—MERCHANT SEAMEN LICENSES, CERTIFICATES, AND DOCUMENTS

<b>71. Licenses and Certificates of Registry .....</b>	<b>7101</b>
<b>73. Merchant Mariners' Documents .....</b>	<b>7301</b>
<b>75. General Procedures for Licensing, Certification, and Documentation .....</b>	<b>7501</b>
<b>77. Suspension and Revocation .....</b>	<b>7701</b>

### PART F—MANNING OF VESSELS

<b>81. General .....</b>	<b>8101</b>
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