

§ 9102. Standards for tank vessels of the United States

The Secretary shall prescribe standards for the manning of each vessel of the United States to which chapter 37 of this title applies, related to the duties, qualifications, and training of the officers and crew of the vessel, including standards related to—

- (1) instruction in vessel and cargo handling and vessel navigation under normal operating conditions in coastal and confined waters and on the high seas;
(2) instruction in vessel and cargo handling and vessel navigation in emergency situations and under marine casualty or potential casualty conditions;
(3) qualifications for licenses by specific type and size of vessels;
(4) qualifications for licenses by use of simulators for the practice or demonstration of marine-oriented skills;
(5) minimum health and physical fitness criteria for various grades of licenses and certificates;
(6) periodic retraining and special training for upgrading positions, changing vessel type or size, or assuming new responsibilities;
(7) decisions about licenses and certificates, conditions of licensing or certification, and periods of licensing or certification by reference to experience, amount of training completed, and regular performance testing; and
(8) instruction in vessel maintenance functions.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 556; Pub. L. 101-380, title IV, § 4114(d), Aug. 18, 1990, 104 Stat. 517; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], § 8503(b), Jan. 1, 2021, 134 Stat. 4747.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 9102, 46:391a(9)

Section 9102 prescribes manning standards for United States tank vessels.

Subsection (a) requires the Secretary of Transportation to prescribe certain standards for the duties, qualifications, and training of the officers and crew of United States tank vessels.

Subsection (b) provides for a waiver of any health and physical fitness criteria prescribed under subsection (a).

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 struck out subsec. (a) designation before “The Secretary shall” and struck out subsec. (b) which read as follows: “The Secretary shall waive the application of criteria required by subsection (a)(5) of this section for an individual having a license or certificate (including a renewal of the license or certificate) in effect on October 17, 1978. When the waiver is granted, the Secretary may prescribe conditions for the license or certificate and its renewal, as the Secretary decides are reasonable and necessary for the safety of a vessel on which the individual may be employed.”

1990—Par. (8). Pub. L. 101-380 added par. (8).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-380 applicable to incidents occurring after Aug. 18, 1990, see section 1020 of Pub. L.

101-380, set out as an Effective Date note under section 2701 of Title 33, Navigation and Navigable Waters.

CHAPTER 93—GREAT LAKES PILOTAGE

Table with 2 columns: Sec., Definitions. Rows: 9301. Definitions. 9302. Great Lakes pilots required. 9303. United States registered pilot service. 9304. Pilotage pools. 9305. Agreements with Canada. 9306. State regulation prohibited. 9307. Great Lakes Pilotage Advisory Committee. 9308. Penalties.

HISTORICAL AND REVISION NOTES

Chapter 93 contains the pilotage requirements for United States vessels sailing under register and foreign flag vessels operating on the Great Lakes, qualifications for a registered pilot for the Great Lakes, authority for agreements with Canada, prohibition of State regulation, establishment of an advisory committee, and imposition of civil penalties.

§ 9301. Definitions

In this chapter—

- (1) “Canadian registered pilot” means an individual (except a regular crewmember of a vessel) who is registered by Canada on the same basis as an individual registered under section 9303 of this title.
(2) “Great Lakes” means Lakes Superior, Michigan, Huron, Erie, and Ontario, their connecting and tributary waters, the Saint Lawrence River as far east as Saint Regis, and adjacent port areas.
(3) “United States registered pilot” means an individual (except a regular crewmember of a vessel) who is registered under section 9303 of this title.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 557.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Rows: 9301(1), 46:216(d); 9301(2), 46:216(a); 9301(3), 46:216(c)

Section 9301 contains definitions which pertain to this chapter only.

Clause (1) defines “Canadian registered pilot” as an individual registered as a pilot in Canada on the same basis as the United States.

Clause (2) defines “Great Lakes” as the five lakes plus their connecting and tributary waters, a certain part of the Saint Lawrence River, and adjacent ports.

Clause (3) defines “United States registered pilot” as an individual registered under regulations for competency under section 9303.

§ 9302. Great Lakes pilots required

(a)(1) Except as provided in subsections (d), (e), and (f) of this section, each vessel of the United States operating on register and each foreign vessel shall engage a United States or Canadian registered pilot for the route being navigated who shall—

(A) in waters of the Great Lakes designated by the President, direct the navigation of the vessel subject to the customary authority of the master; and

(B) in waters of the Great Lakes not designated by the President, be on board and available to direct the navigation of the vessel