

–CITE–

46 USC CHAPTER 147 – PENALTIES 01/06/03

–EXPCITE–

TITLE 46 – SHIPPING

Subtitle II – Vessels and Seamen

Part J – Measurement of Vessels

CHAPTER 147 – PENALTIES

–HEAD–

CHAPTER 147 – PENALTIES

–MISC1–

Sec.

14701. General violation.

14702. False statements.

HISTORICAL AND REVISION NOTES

This chapter provides for penalties for violations of Part J –

Measurement of Vessels.

–End–

–CITE–

46 USC Sec. 14701 01/06/03

–EXPCITE–

TITLE 46 – SHIPPING

Subtitle II – Vessels and Seamen

Part J – Measurement of Vessels

CHAPTER 147 – PENALTIES

–HEAD–

Sec. 14701. General violation

–STATUTE–

The owner, charterer, managing operator, agent, master, and individual in charge of a vessel violating this part or a regulation prescribed under this part are each liable to the United States Government for a civil penalty of not more than \$20,000. Each day of a continuing violation is a separate violation. The vessel also is liable in rem for the penalty.

–SOURCE–

(Added Pub. L. 99–509, title V, Sec. 5101(3), Oct. 21, 1986, 100 Stat. 1925.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised section 14701

Source: Section (U.S. Code) 46 App. U.S.C. 83j.

Section 14701 provides that the owner, charterer, managing operator, agent, master, and individual in charge of a vessel violating Part J – Measurement of Vessels – are each liable to the U.S. Government for a civil penalty of not more than \$20,000. It also provides that the vessel is liable in rem for the penalty and that each day of a continuing violation is a separate violation.

–End–

–CITE–

46 USC Sec. 14702 01/06/03

–EXPCITE–

TITLE 46 – SHIPPING

Subtitle II – Vessels and Seamen

Part J – Measurement of Vessels

CHAPTER 147 – PENALTIES

–HEAD–

Sec. 14702. False statements

–STATUTE–

A person knowingly making a false statement or representation in a matter in which a statement or representation is required by this part or a regulation prescribed under this part is liable to the United States Government for a civil penalty of not more than \$20,000 for each false statement or representation. The vessel also is liable in rem for the penalty.

–SOURCE–

(Added Pub. L. 99–509, title V, Sec. 5101(3), Oct. 21, 1986, 100 Stat. 1925.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised section 14702

Source: Section (U.S. Code) 46 App. U.S.C. 83i.

Section 14702 provides that a person knowingly making a false statement or representation in a matter in which a statement or representation is required by this part or a regulation prescribed under this part is liable to the United States Government for a civil penalty of not more than \$20,000 for each false statement or representation. It further provides that the vessel is liable in rem for the penalty. This penalty is increased from \$1,000 in

existing law and conforms with the level of similar penalties

throughout the subtitle.

–End–

–CITE–

46 USC Subtitle III – Maritime Liability 01/06/03

–EXPCITE–

TITLE 46 – SHIPPING

Subtitle III – Maritime Liability

–HEAD–

Subtitle III – Maritime Liability

–MISC1–

Chap. Sec.

301. General 30101

[Chapters 303–311 – Reserved]

313. Commercial Instruments and Maritime Liens 31301

[Chapter 315 – Reserved]

#### HISTORICAL AND REVISION NOTES

Section 101 [102] of H.R. 3105 revises, consolidates, and enacts certain general and permanent laws of the United States related to commercial instruments and liens and public vessels and goods. It amends subtitle III of title 46, United States Code by striking at the end "Chapters 313, 315 – Reserved" and substituting "Chapter 313 – Commercial Instruments and Maritime Liens". Chapter 313 is essentially a codification of the Ship Mortgage Act, 1920 (46 App. U.S.C. 911–984). H.R. 3105 is the second step in the process of enacting laws compiled in title 46 of the Code into positive law.

The first step in the codification process began in 1983 when certain general and permanent laws related to vessels and seamen were enacted as subtitle II of the title 46, United States Code.

#### HOUSE FLOOR STATEMENT

Section 102 of this bill adds a new subtitle III to title 46, which contains a codification of the Ship Mortgage Act, 1920 and other related provisions. A previous version of this codification and the remaining sections of the bill were recently reported by the Merchant Marine and Fisheries Committee in H.R. 3105 (H. Rept. 100-918). The significant additions or changes by this provision to the version of H.R. 3105 reported by the Merchant Marine and Fisheries Committee are explained as follows: [see sections 30101, 31305, 31321, 31322, 31325, 31329, 31330, 31343 of this title].

–SECRET–

#### SUBTITLE REFERRED TO IN OTHER SECTIONS

This subtitle is referred to in title 28 section 1605.

–End–