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TITLE 46--SHIPPING

Subtitle II--Vessels and Seamen

Part E--Merchant Seamen Licenses, Certificates, and Documents

CHAPTER 73--MERCHANT MARINERS' DOCUMENTS

Sec. 7302. Issuing merchant mariners' documents and continuous discharge books

(a) The Secretary shall issue a merchant mariner's document to an individual required to have that document under part F of this subtitle if the individual satisfies the requirements of this part. The document serves as a certificate of identification and as a certificate of service, specifying each rating in which the holder is qualified to serve on board vessels on which that document is required under part F.

(b) The Secretary also may issue a continuous discharge book to an individual issued a merchant mariner's document if the individual requests.

(c) The Secretary may not issue a merchant mariner's document under this chapter unless the individual applying for the document makes available to the Secretary, under 30305(b)(5) \1\ of title 49, any information contained in the National Driver Register related to an offense described in 30304(a)(3)(A) \1\ or (B) of title 49 committed by the individual.

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\1\ So in original. Probably should be preceded by ``section''.  
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(d) The Secretary may review the criminal record of an individual who applies for a merchant mariner's document under this section.

(e) The Secretary shall require the testing of an individual applying for issuance or renewal of a merchant mariner's document under this chapter for the use of a dangerous drug in violation of law or Federal regulation.

(f) Except as provided in subsection (g), a merchant mariner's document issued under this chapter is valid for 5 years and may be renewed for additional 5-year periods.

(g)(1) The Secretary may, pending receipt and review of information required under subsections (c) and (d), immediately issue an interim merchant mariner's document valid for a period not to exceed 120 days, to--

(A) an individual to be employed as gaming personnel, entertainment personnel, wait staff, or other service personnel on board a passenger vessel not engaged in foreign service, with no duties, including emergency duties, related to the navigation of the vessel or the safety of the vessel, its crew, cargo or passengers;  
or

(B) an individual seeking renewal of, or qualifying for a supplemental endorsement to, a valid merchant mariner's document issued under this section.

(2) No more than one interim document may be issued to an individual under paragraph (1)(A) of this subsection.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 542; Pub. L. 101-380, title IV, Secs. 4101(b), 4102(c), Aug. 18, 1990, 104 Stat. 509; Pub. L. 107-295, title III, Sec. 324(a), Nov. 25, 2002, 116 Stat. 2104; Pub. L. 108-293, title VI, Sec. 609(1), Aug. 9, 2004, 118 Stat. 1058.)

Historical and Revision Notes

Revised section	Source section (U.S. Code)
7302.....	46:239a(c) 46:643(a) 46:643(c) 46:672(i)

Section 7302(a) requires the Secretary to issue a merchant mariner's document to qualified individuals required to have that document as a prerequisite to employment on certain vessels of the United States. The purpose of the document is to serve as positive identification and to specify each rating in which the individual is qualified to serve on vessels.

Subsection (b) allows the Secretary to issue a continuous discharge book to an individual who requests a book.

Amendments

2004--Subsec. (c). Pub. L. 108-293 substituted ``30305(b)(5) of title 49'' for ``section 206(b)(7) of the National Driver Register Act of 1982 (23 U.S.C. 401 note)'' and ``30304(a)(3)(A) or (B) of title 49'' for ``section 205(a)(3)(A) or (B) of that Act''.

2002--Subsec. (f). Pub. L. 107-295, Sec. 324(a)(1), substituted ``Except as provided in subsection (g), a'' for ``A''.

Subsec. (g). Pub. L. 107-295, Sec. 324(a)(2), added subsec. (g).

1990--Subsecs. (c) to (e). Pub. L. 101-380, Sec. 4101(b), added subsecs. (c) to (e).

Subsec. (f). Pub. L. 101-380, Sec. 4102(c), added subsec. (f).

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.

Merchant Mariners' Documents Pilot Program

Pub. L. 108-293, title VI, Sec. 611, Aug. 9, 2004, 118 Stat. 1058, provided that: ``The Secretary of the department in which the Coast Guard is operating may conduct a pilot program to demonstrate methods to improve processes and procedures for issuing merchant mariners' documents.''

Termination of Existing Licenses, Certificates, and Documents;  
Applicability of 1990 Amendment

For provisions that a merchant mariner's document issued before Aug. 18, 1990, terminates on the day it would have expired if the amendment to this section by section 4102(c) of Pub. L. 101-380 were in effect on date it was issued and was renewed at the end of each 5-year period under this section, see section 4102(d) of Pub. L. 101-380, set out as a note under section 7106 of this title.