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TITLE 19--CUSTOMS DUTIES

CHAPTER I--UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY
PART 123--CUSTOMS RELATIONS WITH CANADA AND MEXICO--Table of Contents

Subpart A--General Provisions

Sec. 123.8 Permit or special license to unlade or lade a vessel or vehicle.

(a) Permission to unlade or lade. Before any passenger or merchandise, including baggage, may be landed or discharged from any vessel of less than 5 net tons arriving from Canada or Mexico by any route, or from a vehicle, permission to unlade shall be obtained from a Customs officer. Permission to unlade during overtime hours, on a Sunday or holiday, or to lade during overtime hours on a Sunday or holiday

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merchandise requiring Customs supervision, shall be obtained from the port director. Permission to unlade is not required for a vessel of less than 5 net tons arriving otherwise than by sea carrying no baggage or other merchandise. For permission to unlade or lade for vessels of 5 net tons or over, see Sec. 4.30 of this chapter.

(b) Application for permit or special license to unlade or lade--
(1)

Permit to unlade during regular hours. Application for a permit to unlade any vehicle or a vessel of less than 5 net tons may be made and permission may be granted orally. The port director may require that the application and permission to unlade be on Customs Form 3171.

(2) Special license to unlade or lade at night, on a Sunday or holiday. Application for permission to unlade passengers or merchandise from, or lade any merchandise requiring Customs supervision on, a vessel of less than 5 net tons or a vehicle arriving from or departing for Canada or Mexico by any route at night, on a Sunday or holiday, and requests for any reimbursable overtime services shall be made on Customs Form 3171. In the discretion of the port director and under such condition as he may deem advisable the application may be made orally for vessels of less than 5 net tons and vehicles not carrying persons or

property for hire, but requests for reimbursable overtime services shall be on Customs Form 3171. The port director may authorize Customs inspectors to approve the request for overtime services and to grant oral permission to unlade or lade.

(c) Cash deposit or bond for overtime services. A request for reimbursable overtime services shall not be approved unless the required cash deposit or bond on Customs Form 301, containing the bond conditions set forth in Sec. 113.64 of this chapter, is on file or is filed with the request.

(d) Term permit or special license. A permit or special license required by this section may be issued on a term basis in the manner, and under the conditions applicable, described in Sec. 4.30 (f) or (g) of this chapter.

[T.D. 70-121, 35 FR 8215, May 26, 1970, as amended by T.D. 84-213, 49 FR 41183, Oct. 19, 1984; T.D. 94-2, 58 FR 68526, Dec. 28, 1993]