

Section 2029, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3428, related to Rule 29, lights and shapes of pilot vessels.

Section 2030, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3429, related to Rule 30, lights and shapes of anchored vessels and vessels aground.

Section 2031, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3429, related to Rule 31, lights and shapes of seaplanes.

Section 2032, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3429, related to Rule 32, definitions of sound signals.

Section 2033, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3430, related to Rule 33, equipment for sound signals.

Section 2034, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3430; Pub. L. 104-324, title VII, §701(6), Oct. 19, 1996, 110 Stat. 3933, related to Rule 34, maneuvering and warning signals.

Section 2035, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3431, related to Rule 35, sound signals in restricted visibility.

Section 2036, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3432, related to Rule 36, signals to attract attention.

Section 2037, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3432, related to Rule 37, distress signals.

Section 2038, Pub. L. 96-591, §2, Dec. 24, 1980, 94 Stat. 3432, related to Rule 38, exemptions.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Pub. L. 108-293, title III, §303(a), (c), Aug. 9, 2004, 118 Stat. 1042, provided that the repeal of this subchapter by section 303(a) is effective on the effective date of final regulations prescribed by the Secretary of the Department in which the Coast Guard is operating under section 2071 of this title. Repeal effective May 17, 2010, and Inland Navigation Rules moved to 33 CFR part 83. See 75 F.R. 19544, Apr. 15, 2010.

SHORT TITLE

Pub. L. 96-591, §1, Dec. 24, 1980, 94 Stat. 3415, provided: "That this Act [enacting this chapter, amending sections 151, 1604, 1605, and 1608 of this title, repealing sections 154 to 159, 171 to 183, 191, 192, 201 to 213, 221, 222, 231, 232, 241 to 244, 251 to 262, 271, 272, 281 to 295, 301 to 303, 311 to 323, 331, 341 to 356, 360, and 360a of this title and sections 526b, 526c, and 526d of former Title 46, Shipping, and enacting provisions set out as notes under this section] may be cited as the 'Inland Navigational Rules Act of 1980'."

SUBCHAPTER II—MISCELLANEOUS PROVISIONS

§ 2071. Inland navigation rules

The Secretary of the Department in which the Coast Guard is operating may issue inland navigation regulations applicable to all vessels upon the inland waters of the United States and technical annexes that are as consistent as possible with the respective annexes to the International Regulations.

(Pub. L. 96-591, §3, Dec. 24, 1980, 94 Stat. 3433; Pub. L. 108-293, title III, §303(b), Aug. 9, 2004, 118 Stat. 1042.)

Editorial Notes

REFERENCES IN TEXT

The International Regulations, referred to in text, came into effect pursuant to the Convention on the International Regulations for Preventing Collisions at Sea, 1972. See International Regulations for Preventing Collisions at Sea, 1972 note under section 1602 of this title.

AMENDMENTS

2004—Pub. L. 108-293 amended section catchline and text generally. Prior to amendment, text read as fol-

lows: "The Secretary may issue regulations necessary to implement and interpret this chapter. The Secretary shall establish the following technical annexes to these Rules: Annex I, Positioning and Technical Details of Lights and Shapes; Annex II, Additional Signals for Fishing Vessels Fishing in Close Proximity; Annex III, Technical Details of Sound Appliances; and Annex IV, Distress Signals. These annexes shall be as consistent as possible with the respective annexes to the International Regulations. The Secretary may establish other technical annexes, including local pilot rules."

§ 2072. Violations of Inland Navigational Rules

(a) Liability of operator for civil penalty

Whoever operates a vessel in violation of this chapter, or of any regulation issued thereunder, or in violation of a certificate of alternative compliance issued under Rule 1 is liable to a civil penalty of not more than \$5,000 for each violation.

(b) Liability of vessel for civil penalty; seizure of vessel

Every vessel subject to this chapter, other than a public vessel being used for noncommercial purposes, that is operated in violation of this chapter, or of any regulation issued thereunder, or in violation of a certificate of alternative compliance issued under Rule 1 is liable to a civil penalty of not more than \$5,000 for each violation, for which penalty the vessel may be seized and proceeded against in the district court of the United States of any district within which the vessel may be found.

(c) Assessment of civil penalty by Secretary; collection

The Secretary may assess any civil penalty authorized by this section. No such penalty may be assessed until the person charged, or the owner of the vessel charged, as appropriate, shall have been given notice of the violation involved and an opportunity for a hearing. For good cause shown, the Secretary may remit, mitigate, or compromise any penalty assessed. Upon the failure of the person charged, or the owner of the vessel charged, to pay an assessed penalty, as it may have been mitigated or compromised, the Secretary may request the Attorney General to commence an action in the appropriate district court of the United States for collection of the penalty as assessed, without regard to the amount involved, together with such other relief as may be appropriate.

(d) Withholding of clearance

(1) If any owner, operator, or individual in charge of a vessel is liable for a penalty under this section, or if reasonable cause exists to believe that the owner, operator, or individual in charge may be subject to a penalty under this section, the Secretary of the Treasury, upon the request of the Secretary, shall with respect to such vessel refuse or revoke any clearance required by section 60105 of title 46.

(2) Clearance or a permit refused or revoked under this subsection may be granted upon filing of a bond or other surety satisfactory to the Secretary.

(Pub. L. 96-591, §4, Dec. 24, 1980, 94 Stat. 3433; Pub. L. 104-324, title III, §312(c), Oct. 19, 1996, 110 Stat. 3920.)