

#### § 474. Anchorage and general regulations for St. Marys River

The Commandant of the Coast Guard is authorized and directed to adopt and prescribe suitable rules and regulations governing the movements and anchorage of vessels and rafts in Saint Marys River from Point Iroquois, on Lake Superior, to Point Detour, on Lake Huron, and for the purpose of enforcing the observance of such regulations the Secretary of Transportation is authorized to detail one or more Coast Guard vessels for duty upon the request of the Commandant of the Coast Guard on said river.

All officers of the Coast Guard who are directed to enforce the regulations prescribed by the above rules are empowered and directed, in case of necessity, or when a proper notice has been disregarded, to use the force at their command to remove from channels or stop any vessel found violating the prescribed rules.

In the event of the violation of any such regulations or rules of the Commandant of the Coast Guard by the owners, master, or person in charge of such vessel, such owners, master, or person in charge shall be liable to a penalty not exceeding \$200: *Provided*, That the Commandant of the Coast Guard may remit said fine on such terms as he may prescribe: *Provided also*, That nothing in this section shall be construed to amend or repeal chapter<sup>1</sup> 4 of this title.

(Mar. 6, 1896, ch. 49, §§1-3, 29 Stat. 54, 55; Apr. 26, 1906, ch. 1874, §§1, 2, 34 Stat. 136; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736; 1946 Reorg. Plan No. 3, §§101-104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097; Oct. 14, 1949, ch. 393, §§1, 20, 63 Stat. 496, 561; Pub. L. 89-670, §6(b)(1), Oct. 15, 1966, 80 Stat. 938.)

##### REFERENCES IN TEXT

Chapter 4 of this title, referred to in last par., was in the original "the Act entitled 'An Act to regulate navigation on the Great Lakes, and their connecting and tributary waters as far east as Montreal,' approved February eighth, eighteen hundred and ninety-five", which was classified generally to chapter 4 (§241 et seq.) of this title and was repealed by Pub. L. 96-591, §8(b), Dec. 24, 1980, 94 Stat. 3435, eff. Mar. 1, 1983, pursuant to 47 F.R. 15135, Apr. 8, 1982. See section 7 of Pub. L. 96-591, set out as an Effective Date note under section 2001 of this title.

##### TRANSFER OF FUNCTIONS

"Coast Guard vessels" and "Coast Guard" substituted in text for "revenue cutters" and "Revenue-Cutter Service", respectively, the Revenue Cutter Service and Life-Saving Service having been combined to form the Coast Guard by act Jan. 28, 1915, ch. 20, §1, 38 Stat. 800. That act was repealed by act Aug. 4, 1949, ch. 393, §20, 63 Stat. 561, section 1 of which reestablished the Coast Guard by enacting Title 14, Coast Guard.

Secretary of Commerce and Labor designated Secretary of Commerce by act Mar. 4, 1913, which created Department of Labor.

Functions of Secretary of Commerce under this section transferred to Commandant of Coast Guard by Reorg. Plan No. 3 of 1946, §§101-104, set out in the Appendix to Title 5, Government Organization and Employees.

For transfer of functions of other officers, employees, and agencies of Department of the Treasury, with certain exceptions, to Secretary of the Treasury with power to delegate, see Reorg. Plan No. 26 of 1950, §§1, 2,

eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Coast Guard, and Commandant of Coast Guard, excepted from transfer when Coast Guard is operating as part of Navy under sections 1 and 3 of Title 14, Coast Guard.

Coast Guard transferred to Department of Transportation, and functions, powers, and duties relating to Coast Guard of Secretary of the Treasury and of other officers and offices of Department of the Treasury transferred to Secretary of Transportation by Pub. L. 89-670, §6(b)(1), Oct. 15, 1966, 80 Stat. 938. Section 6(b)(2) of Pub. L. 89-670, however, provided that notwithstanding such transfer of functions, Coast Guard shall operate as part of Navy in time of war or when President directs as provided in section 3 of Title 14, Coast Guard. See section 108 of Title 49, Transportation.

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### § 475. Regulations for Pearl Harbor, Hawaii

For the proper control, protection, and defense of the naval station, harbor, and entrance channel at Pearl Harbor, Territory of Hawaii, the Secretary of the Navy is authorized, empowered, and directed to adopt and prescribe suitable rules and regulations governing the navigation, movement, and anchorage of vessels of whatsoever character in the waters of Pearl Harbor, island of Oahu, Hawaiian Islands, and in the entrance channel to said harbor, and to take all necessary measures for the proper enforcement of such rules and regulations.

(Aug. 22, 1912, ch. 335, 37 Stat. 341.)

##### CODIFICATION

Section is from the Naval Appropriation Act for 1913.

##### ADMISSION OF HAWAII AS STATE

Admission of Hawaii into the Union was accomplished Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 24 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding section 491 of Title 48, Territories and Insular Possessions.

#### § 476. Restrictions on tanker traffic in Puget Sound and adjacent waters

(a) The Congress finds that—

(1) the navigable waters of Puget Sound in the State of Washington, and the natural resources therein, are a fragile and important national asset;

(2) Puget Sound and the shore area immediately adjacent thereto is threatened by increased domestic and international traffic of tankers carrying crude oil in bulk which increases the possibility of vessel collisions and oil spills; and

(3) it is necessary to restrict such tanker traffic in Puget Sound in order to protect the navigable waters thereof, the natural resources therein, and the shore area immediately adjacent thereto, from environmental harm.

(b) Notwithstanding any other provision of law, on and after October 18, 1977, no officer, em-

<sup>1</sup> See References in Text note below.

ployee, or other official of the Federal Government shall, or shall have authority to, issue, renew, grant, or otherwise approve any permit, license, or other authority for constructing, renovating, modifying, or otherwise altering a terminal, dock, or other facility in, on, or immediately adjacent to, or affecting the navigable waters of Puget Sound, or any other navigable waters in the State of Washington east of Port Angeles, which will or may result in any increase in the volume of crude oil capable of being handled at any such facility (measured as of October 18, 1977), other than oil to be refined for consumption in the State of Washington.

(Pub. L. 95-136, § 5, Oct. 18, 1977, 91 Stat. 1168.)

**CHAPTER 11—BRIDGES OVER NAVIGABLE WATERS**

**SUBCHAPTER I—GENERAL PROVISIONS**

- Sec. 491. Approval of and deviation from plans; exemptions.
- 492. Bridge as post route; limitation as to charges against Government; telegraph and telephone lines.
- 493. Use of railroad bridges by other railroad companies.
- 494. Obstruction of navigation; alterations and removals; lights and signals; draws.
- 495. Violations of orders respecting bridges and accessory works.
  - (a) Criminal penalties for violation; misdemeanor; fine; new offenses; jurisdiction: suits for recovery of removal expenses, enforcement of removal, and obstruction-to-navigation causes or questions.
  - (b) Civil penalties for violation; separate offenses; notice and hearing; assessment, collection, and remission; civil actions.
- 496. Time for commencement and completion of bridge.
- 497. "Persons" defined.
- 498. Reservation of right to alter or repeal.
- 498a, 498b. Repealed.
- 499. Regulations for drawbridges.
  - (a) Criminal penalties for violations; enforcement; rules and regulations.
  - (b) Nonstructural vessel appurtenances; unreasonable delays.
  - (c) Civil penalties for violation; notice and hearing; assessment, collection, and remission; civil actions.
- 500. Deflection of current; liability to riparian owners.
- 501. Omitted.
- 502. Alteration, removal, or repair of bridge or accessory obstructions to navigation.
  - (a) Criminal penalties for violation; alteration or removal requirements; notice and hearing; specification of changes; time for compliance; notice to United States Attorney; misdemeanor; fine; new offenses.
  - (b) Proper repair requirement.
  - (c) Civil penalties for violation; separate offenses; notice and hearing; assessment, collection, and remission; civil actions.
- 503 to 507. Repealed.
- 508. Amount of tolls.

**SUBCHAPTER II—ALTERATION OF BRIDGES**

- 511. Definitions.
- 512. Obstruction of navigation.

- Sec. 513. Notice, hearings, and findings.
- 514. Submission and approval of general plans and specifications.
- 515. Contracts for project; guaranty of cost.
- 516. Apportionment of cost.
- 517. Payment of share of United States.
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- 519. Noncompliance with orders; penalties; removal of bridge.
- 520. Review of findings and orders.
- 521. Regulations and orders.
- 522. Existing provisions of law.
  - (a) Obstructing navigation; criminal penalties.
  - (b) Construction, reconstruction, or alteration of bridges not completed on July 1, 1939; apportionment of costs.
  - (c) Construction, reconstruction, or alteration of bridges not begun on July 1, 1939.
- 523. Relocation of bridges.
- 524. Applicability of administrative procedure provisions.

**SUBCHAPTER III—GENERAL BRIDGE AUTHORITY**

- 525. Construction and operation of bridges.
  - (a) Consent of Congress.
  - (b) Approval of plans.
  - (c) Private highway toll bridges.
- 526, 526a. Repealed.
- 527. Acquisition of interstate bridges by public agencies; amount of damages.
- 528. Statement of construction costs of privately owned interstate bridges; investigation of costs; conclusiveness of findings; review.
- 529. Repealed.
- 530. Bridges included and excluded.
- 531. International bridges.
- 532. Eminent domain.
- 533. Penalties for violations.
  - (a) Criminal penalties for violation.
  - (b) Civil penalties for violation; separate offenses; notice and hearing; assessment, collection, and remission; civil actions.
- 534. Conveyance of right, title, and interest of United States in bridges transferred to States or political subdivisions; terms and conditions.

**SUBCHAPTER IV—INTERNATIONAL BRIDGES**

- 535. Congressional consent to construction, maintenance, and operation of international bridges; conditions of consent.
- 535a. Congressional consent to State agreements with Canada and Mexico; Secretary of State's approval of agreements.
- 535b. Presidential approval; recommendations of Federal officials.
- 535c. Secretary of Transportation's approval; commencement and completion requirements; extension of time limits.
- 535d. Repealed.
- 535e. Ownership.
  - (a) Sale, assignment, or transfer; Secretary of Transportation's approval.
  - (b) State status of original applicant upon acquisition of right, title, and interest after termination of private entity licenses, contracts, or orders.
- 535f. Applicability of provisions.
- 535g. Federal navigable waters and commerce jurisdiction unaffected.
- 535h. Report of Secretary of Transportation's approval during fiscal year.
- 535i. Reservation of right to alter or repeal.