

provision set out as a note under section 841c of this Appendix] may be cited as the 'Maritime Labor Agreements Act of 1980'."

SHORT TITLE OF 1979 AMENDMENT

Pub. L. 96-25, § 1, June 19, 1979, 93 Stat. 71, provided: "That this Act [amending sections 815, 817, 820, 821, 822, 826, 828, 829, and 831 of this Appendix and enacting provisions set out as a note under section 815 of this Appendix] may be cited as the 'Shipping Act Amendments of 1979'."

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95-483, § 1, Oct. 18, 1978, 92 Stat. 1607, provided: "That this Act [amending sections 801 and 817 of this Appendix and enacting provision set out as a note under section 801 of this Appendix] may be cited as the 'Ocean Shipping Act of 1978'."

REPEALS

For provisional repeal, see note set out preceding section 801 of this Appendix.

CHAPTER 23A—INTERCOASTAL SHIPPING

- | | |
|-------|---|
| Sec. | |
| 843. | Definitions. |
| 844. | Schedule of rates; filing; posting; availability; incorporation by reference in short form documents; penalties for violations. |
| 845. | Changes in the schedule of rates. <ul style="list-style-type: none"> (a) Hearings on new schedules; publication; guidelines. (b) Suspension of rates pending hearings; burden of proof; time limits; issuance of final decision; conferences. (c) Prohibition of certain suspensions; refunds. |
| 845a. | Unjust or unreasonable rates; reasonable maximum and minimum rates ordered by Commission. |
| 845b. | Application to common carrier by water in interstate commerce and carriage, etc. of property for United States, States, municipalities, or for charitable purposes. |
| 847. | Application of chapter 23 to intercoastal shipping. |
| 848. | Short title. |

REPEALS

For effect of subtitle IV (§ 10101 et seq.) of Title 49, Transportation, see note set out preceding section 801 of this Appendix.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 814, 833a, 841c, 1114, 1225, 1704 of this Appendix; title 26 section 7701; title 28 section 2342; title 49 sections 10542, 10544, 10703.

§ 843. Definitions

When used in this chapter—

(1) The term "common carrier by water in intercoastal commerce" for the purposes of this chapter shall include every common and contract carrier by water engaged in the transportation for hire of passengers or property between one State of the United States and any other State of the United States by way of the Panama Canal.

(2) The term "general increase in rates" means any change in rates, fares, or charges which will (A) result in an increase in not less than 50 per centum of the total rate, fare, or charge items in the tariffs per trade of any

common carrier by water in intercoastal commerce; and (B) directly result in an increase in gross revenues of such carrier for the particular trade of not less than 3 per centum.

(3) The term "general decrease in rates" means any change in rates, fares, or charges which will (A) result in a decrease in not less than 50 per centum of the total rate, fare, or charge items in the tariffs per trade of any common carrier by water in intercoastal commerce; and (B) directly result in a decrease in gross revenue of such carrier for the particular trade of not less than 3 per centum.

(Mar. 3, 1933, ch. 199, § 1, 47 Stat. 1425; Oct. 18, 1978, Pub. L. 95-475, § 1, 92 Stat. 1494.)

AMENDMENTS

1978—Pub. L. 95-475 designated existing provisions as par. (1) and added pars. (2) and (3).

EFFECTIVE DATE OF 1978 AMENDMENT

Section 5 of Pub. L. 95-475 provided that: "This Act [amending sections 843 to 845a of this Appendix] shall take effect ninety days after enactment [Oct. 18, 1978]."

REPEALS

For provisional repeal, see note set out preceding section 801 of this Appendix.

§ 844. Schedule of rates; filing; posting; availability; incorporation by reference in short form documents; penalties for violations

Every common carrier by water in intercoastal commerce shall file with the Federal Maritime Commission and keep open to public inspection schedules showing all the rates, fares, and charges for on in connection with transportation between intercoastal points on its own route; and, if a through route has been established, all the rates, fares, and charges for or in connection with transportation between intercoastal points on its own route and points on the route of any other carrier by water. The schedules filed, and kept open to public inspection as aforesaid by any such carrier shall plainly show the places between which passengers and/or freight will be carried, and shall contain the classification of freight and of passenger accommodations in force, and shall also state separately each terminal or other charge, privilege, or facility, granted or allowed, and any rules or regulations which in anywise change, affect, or determine any part of the aggregate of such aforesaid rates, fares, or charges, or the value of the service rendered to the passenger consignor, or consignee, and shall include the terms and conditions of any passenger ticket, bill of lading, contract of affreightment, or other document evidencing the transportation agreement. The terms and conditions as filed with the Federal Maritime Commission shall be framed under glass and posted in a conspicuous place on board each vessel where they may be seen by passengers and others at all times. Such carriers in establishing and fixing rates, fares, or charges may make equal rates, fares, or charges for similar service between all ports of origin and all ports of destination, and it shall be unlawful for any such carrier, either

directly or indirectly, through the medium of any agreement, conference, association, understanding, or otherwise, to prevent or attempt to prevent any such carrier from extending service to any publicly owned terminal located on any improvement project authorized by the Congress at the same rates which it charges at its nearest regular port of call. Such schedules shall be plainly printed, and copies shall be kept posted in a public and conspicuous place at every wharf, dock, and office of such carrier where passengers or freight are received for transportation, in such manner that they shall be readily accessible to the public and can be conveniently inspected. In the event that any such schedule includes the terms and conditions of any passenger ticket, bill of lading, contract of affreightment or other document evidencing the transportation agreement, as herein provided, copies of such terms and conditions shall be made available to any shipper, consignee, or passenger upon request. Such terms and conditions, if filed as permitted by this section and framed under glass and posted in a conspicuous place on board each vessel where they may be seen by passengers and others at all times, may be incorporated by reference in a short form of same actually issued for the transportation, or in a dock receipt or other document issued in connection therewith, by notice printed on the back of each document that all parties to the contract are bound by the terms and conditions as filed with the Federal Maritime Commission and posted on board each vessel, and when so incorporated by reference every carrier and any other person having any interest or duty in respect of such transportation shall be deemed to have such notice thereof as if all such terms and conditions had been set forth in the short form document.

No change shall be made in the rates, fares, or charges, or classifications, rules, or regulations, which have been filed and posted as required by this section, except by the publication, filing, and posting as aforesaid of a new schedule or schedules which shall become effective not earlier than thirty days after date of posting and filing thereof with the Federal Maritime Commission and such schedule or schedules shall plainly show the changes proposed to be made in the schedule or schedules then in force and the time when the rates, fares, charges, classifications, rules, or regulations as changed are to become effective: *Provided*, That no general increase in rates or general decrease in rates shall take effect before the close of the sixtieth day after the day on which such general increase in rates or general decrease in rates is posted and filed with the Commission: *Provided further*, That the Commission may, in its discretion and for good cause, allow changes upon less than the period of thirty days or sixty days herein specified: *And provided further*, That schedules or changes which provide for extension of actual service to additional ports at rates of said carrier already in effect for similar service at the nearest port of call to said additional ports shall become effective immediately upon notice to the Commission.

From and after ninety days following March 3, 1933, no person shall engage in transporta-

tion as a common carrier by water in intercoastal commerce unless and until its schedules as provided by this section have been duly and properly filed and posted; nor shall any common carrier by water in intercoastal commerce charge or demand or collect or receive a greater or less or different compensation for the transportation of passengers or property or for any service in connection therewith than the rates, fares, and/or charges which are specified in its schedules filed with the Federal Maritime Commission and duly posted and in effect at the time; nor shall any such carrier refund or remit in any manner or by any device any portion of the rates, fares, or charges so specified, nor extend or deny to any person any privilege or facility, except in accordance with such schedules.

The Federal Maritime Commission shall by regulations prescribe the form and manner in which the schedules required by this section shall be published, filed, and posted; and the Commission is authorized to reject any schedule filed with it which is not in consonance with this section and with such regulations. Any schedule so rejected by the Commission shall be void and its use shall be unlawful.

Whoever violates any provision of this section shall be subject to a civil penalty of not more than \$1,000 for each day such violation continues.

(Mar. 3, 1933, ch. 199, § 2, 47 Stat. 1425; Ex. Ord. No. 6166, § 12, eff. June 10, 1933; June 29, 1936, ch. 858, §§ 204, 904, 49 Stat. 1987, 2016; 1950 Reorg. Plan No. 21, § 104(2), eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1274; Aug. 28, 1958, Pub. L. 85-810, 72 Stat. 977; 1961 Reorg. Plan No. 7, § 103(b), eff. Aug. 12, 1961, 26 F.R. 7315, 75 Stat. 840; July 9, 1965, Pub. L. 89-71, 79 Stat. 213; Aug. 29, 1972, Pub. L. 92-416, § 2, 86 Stat. 653; Oct. 18, 1978, Pub. L. 95-475, § 2, 92 Stat. 1494.)

AMENDMENTS

1978—Pub. L. 95-475 added proviso that no general increase or decrease in rates will take effect before the close of the sixtieth day after the day on which such increase or decrease is posted and filed with the Commission and inserted "or sixty days" after "thirty days" in proviso authorizing the Commission to allow changes in certain cases upon less than a thirty or sixty day period.

1972—Pub. L. 92-416 substituted a civil penalty of not more than \$1,000 for each day of violation of this section, for a penalty of not more than \$1,000 for each day of violation, recoverable by the United States in civil action, in last paragraph of this section.

1965—Pub. L. 89-71 substituted provisions limiting penalties to not more than \$1,000 for each day the violation continues, for former provisions prescribing a fine of not less than \$1,000 nor more than \$5,000 for each act of violation and/or for each day the violation continues.

1958—Pub. L. 85-810 provided in first par. that the terms and conditions of any long-form document evidencing the transportation agreement of a common carrier by water in intercoastal commerce shall be included in the schedules filed with the Federal Maritime Board, shall be framed under glass and posted in a conspicuous place on board each vessel where they may be seen by passengers and others at all times, shall be made available to any shipper, consignee, or passenger upon request, shall be incorporated by ref-

erence in a short form document issued to the shipper, consignee, or passenger and containing a printed notice binding the parties to the terms and conditions of the long form filed with the Board and posted on board each vessel as if the term and conditions had been actually set forth in the short form document.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-475 effective ninety days after Oct. 18, 1978, see section 5 of Pub. L. 95-475, set out as a note under section 843 of this Appendix.

REPEALS

For provisional repeal, see note set out preceding section 801 of this Appendix.

TRANSFER OF FUNCTIONS

"Federal Maritime Commission" has been substituted for "Federal Maritime Board" and "Commission" has been substituted for "Board" pursuant to Reorg. Plan No. 7 of 1961, set out under section 1111 of this Appendix, which abolished the Federal Maritime Board and transferred all of its functions under this section with respect to the regulation and control of rates, fares, charges, classifications, tariffs, regulations, and practices of common carriers by water to the Federal Maritime Commission pursuant to section 103(b) thereof.

"Federal Maritime Board" and "board" were substituted for "Commission" (meaning the United States Maritime Commission) on the authority of Reorg. Plan No. 21 of 1950, set out under section 1111 of this Appendix, section 306 of which abolished the United States Maritime Commission and section 104(2) of which transferred its functions to the Federal Maritime Board.

All executive and administrative functions of the United States Maritime Commission were transferred to the Chairman thereof by Reorg. Plan No. 6 of 1949, eff. Aug. 20, 1949, 14 F.R. 5228, 63 Stat. 1069, set out under section 1111 of this Appendix.

"Commission", which meant the United States Maritime Commission, was substituted for "board," meaning the United States Shipping Board. For dissolution of the Board and transfer of its functions to United States Maritime Commission, see Ex. Ord. No. 6166 and act June 29, 1936. Ex. Ord. No. 6166 is set out as a note under section 901 of Title 5, Government Organization and Employees.

COMPROMISE OR RECOVERY OF CIVIL PENALTY

Civil penalty may be compromised by the Federal Maritime Commission or recovered by the United States in a civil action, see section 3 of Pub. L. 92-416, set out as a note under section 814 of this Appendix.

8 845. Changes in the schedule of rates

(a) Hearings on new schedules; publication; guidelines

Whenever there shall be filed with the Federal Maritime Commission any schedule stating a new individual or joint rate, fare, or charge, or any new individual or joint classification, or any new individual or joint regulation on practice affecting any rate, fare, or charge, the Commission shall have, and it is given, authority, either upon protest or upon its own initiative without protest, and if it so orders without answer or other formal pleadings by the interested carrier or carriers, but upon reasonable notice, to enter upon a hearing concerning the lawfulness of such rate, fare, charge, classification, regulation, or practice. The Commission shall not order a hearing pursuant to this subsection, on its own motion or upon protest, unless the Commission publishes in the Federal

Register the reasons, in detail, why it considers such a hearing to be necessary and the specific issues to be resolved by such hearing. For purposes of facilitating the administration of this chapter, the Commission shall, within one year after October 18, 1978, by regulation prescribe guidelines for the determination of what constitutes a just and reasonable rate of return or profit for common carriers by water in inter-coastal commerce. After the regulations referred to in the preceding sentence are initially prescribed, the Commission shall from time to time thereafter review such regulations and make such amendments thereto as may be appropriate.

(b) Suspension of rates pending hearings; burden of proof; time limits; issuance of final decision; conferences

Pending such hearing and the decision thereon the Federal Maritime Commission, upon filing with such schedule and delivering to the carrier or carriers affected thereby a statement in writing of its reasons for such suspension, may, except as provided in subsection (c) of this section, from time to time suspend the operation of such schedule and defer the use of such rate, fare, charge, classification, regulation, or practice, but not for a longer period than one hundred and eighty days beyond the time when it would otherwise go into effect; and after full hearing whether completed before or after the rate, fare, charge, classification, regulation, or practice goes into effect, the Commission may make such order with reference thereto as would be proper in a proceeding initiated after it had become effective. If the proceeding has not been concluded and an order made within the period of suspension, the proposed change of rate, fare, charge, classification, regulation, or practice shall go into effect at the end of such period. At any hearing under this paragraph the burden of proof to show that the rate, fare, charge, classification, regulation, or practice is just and reasonable shall be upon the carrier or carriers. The Commission shall give preference to the hearing and decision of such questions. Notwithstanding any other provision of law, the Commission shall complete such hearing under this section within sixty days; the initial decision resulting therefrom, if any, shall be submitted in writing to the Commission within one hundred and twenty days; and the Commission shall issue a final decision thereon within one hundred and eighty days. The sixty-day, one hundred and twenty-day, and one hundred and eighty-day periods referred to in the preceding sentence shall each begin on the day on which such rate, fare, charge, classification, regulation, or practice first takes effect or, in the case of suspended matter, shall begin on the day on which such matter would have otherwise gone into effect. However, the Commission may, in its discretion and for good cause, extend the time period or suspension period for a period of not more than sixty days, if three or more Commissioners agree to such an extension. If such extension is granted, the Commission shall report

in writing to Congress within ten days from the granting of such extension together with—

(A) a full explanation of the reasons for the extension,

(B) the issues involved in the matter before the Commission,

(C) the names of the personnel of the Commission working on such matter, and

(D) a record of how each Commissioner voted on the extension.

If a final decision is not issued by the Commission within the one hundred and eighty day period, or by the end of any extension period, such rate, fare, charge, classification, regulation, or practice shall, for purposes of this section, thereafter be deemed to be just and reasonable. However, if the Commission finds that it is unable to issue a final decision within such period or within such extension due to delays which are directly attributable to the proponent of such rate, charge, classification, regulation, or practice, the Commission may disapprove such rate, fare, charge, classification, regulation, or practice, upon the expiration of such period or extension. This provision shall not preclude any remedies available pursuant to section 821 of this Appendix. Notwithstanding any other provision of law, in providing a hearing for the purposes of this chapter, it shall be adequate to provide an opportunity for the submission of all evidence in written form, followed by an opportunity for briefs, written statements, or conferences of the parties. Any such conference may be chaired by an individual Commissioner, an administrative law judge, or any designated employee of the Commission.

(c) Prohibition of certain suspensions; refunds

(1) Notwithstanding any other provision of this section, the Commission may not suspend—

(A) any tariff schedule or service which extends to any additional port, actual service at the rates of the carrier involved for similar service already in effect at the nearest port of call to such additional port; or

(B) the operation of that portion of any changed rate, fare, or charge representing an increase or decrease of 5 per centum or less and filed as part of a general increase in rates or a general decrease in rates, except that the aggregate of such changes exempt from suspension shall not exceed 5 per centum during any period of twelve consecutive months; nothing in this subparagraph shall be construed as establishing a presumption that any increase or decrease in excess of 5 per centum is not just and reasonable, or that any increase or decrease less than 5 per centum is just and reasonable.

(2) If the Commission finds, as a result of any proceeding under this section with respect to a general increase in rates, that any unsuspended portion of the increase is not just and reasonable, the Commission shall order the carrier involved to refund to any person who was charged on the basis of such general increase an amount equal to that portion thereof found to be not just and reasonable plus interest on such amount computed on the basis of the average of the prime rate charged by major

banks, as published by the Board of Governors of the Federal Reserve System, during the period to which the refund applies.

(Mar. 3, 1933, ch. 199, § 3, 47 Stat. 1426; Ex. Ord. No. 6166, § 12, eff. June 10, 1933; June 29, 1936, ch. 858, §§ 903(d), 904, 49 Stat. 2016; Aug. 4, 1939, ch. 417, § 2, 53 Stat. 1182; 1950 Reorg. Plan No. 21, § 104(2), eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1274; 1961 Reorg. Plan No. 7, § 103(b), eff. Aug. 12, 1961, 26 F.R. 7315, 75 Stat. 840; Oct. 18, 1978, Pub. L. 95-475, § 3, 92 Stat. 1494.)

AMENDMENTS

1978—Subsec. (a). Pub. L. 95-475, § 3(1), (2), designated first par. as subsec. (a), and in subsec. (a) as so designated, substituted "protest" for "complaint" in two places, deleted provision prohibiting suspension of a tariff schedule or service which extended to additional ports, and added provisions prohibiting the Commission from ordering hearings without publication in the Federal Register of the reasons for the hearing and the issues to be discussed, authorizing the prescription of guidelines for the determination of just and reasonable rates of return and profit for common carriers by water, and requiring the Commission to periodically review and revise said guidelines.

Subsec. (b). Pub. L. 95-475, § 3(3), (4), designated second par. as subsec. (b), and, in subsec. (b) as so designated, inserted "except as provided in subsection (c) of this section" before "from time to time", substituted "one hundred and eighty days" for "four months" after "longer period than", deleted "and decide the same as speedily as possible" after "decision of such questions", and added provisions prescribing time limits for the completion of Commission hearings and submission of the resulting initial and final Commission decisions, authorizing extensions of such time limits in the discretion of the Commission, discussing the consequences of the inability of the Commission to issue a final decision whether or not caused by undue delay attributable to actions of the proponents of the rates or practices at issue, and authorizing the submission of evidence in written form and conferences between the concerned parties.

Subsec. (c). Pub. L. 95-475, § 3(5), added subsec. (c). 1939—Act Aug. 4, 1939, inserted next to last sentence in second par.

1936—Act June 29, 1936, § 903(d), struck out last sentence prohibiting the board from affirmatively fixing specific rates.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-475 effective ninety days after Oct. 18, 1978, see section 5 of Pub. L. 95-475, set out as a note under section 843 of this Appendix.

REPEALS

For provisional repeal, see note set out preceding section 801 of this Appendix.

TRANSFER OF FUNCTIONS

"Federal Maritime Commission" has been substituted for "Federal Maritime Board" and "Commission" has been substituted for "Board" pursuant to Reorg. Plan No. 7 of 1961, set out under section 1111 of this Appendix, which abolished the Federal Maritime Board and transferred all of its functions under this section with respect to the regulation and control of rates, fares, charges, classifications, tariffs, regulations, and practices of common carriers by water to the Federal Maritime Commission pursuant to section 103(b) thereof.

"Federal Maritime Board" and "Board" were substituted for "Commission" (meaning the United States Maritime Commission) on the authority of Reorg.

Plan No. 21 of 1950, set out under section 1111 of this Appendix, section 306 of which abolished the United States Maritime Commission and section 104(2) of which transferred its functions to the Federal Maritime Board.

All executive and administrative functions of the United States Maritime Commission were transferred to the Chairman thereof by Reorg. Plan No. 6 of 1949, eff. Aug. 20, 1949, 14 F.R. 5228, 63 Stat. 1069, set out under section 1111 of this Appendix.

"Commission", which meant the United States Maritime Commission, was substituted for "board", meaning the United States Shipping Board. For dissolution of the Board and transfer of its functions to the United States Maritime Commission, see Ex. Ord. No. 6166 and act June 29, 1936. Ex. Ord. No. 6166 is set out as a note under section 901 of Title 5, Government Organization and Employees.

ADMINISTRATIVE ORDERS REVIEW ACT

Court of appeals exclusive jurisdiction respecting final orders of Maritime Administration under this chapter as are subject to judicial review under section 830 of this Appendix, see section 2342 of Title 28, Judiciary and Judicial Procedure.

CROSS REFERENCES

Injunction by courts of appeals restraining orders, see section 2348 of Title 28, Judiciary and Judicial Procedure.

Review of orders by courts of appeals, see section 2341 et seq. of Title 28.

§ 845a. Unjust or unreasonable rates; reasonable maximum and minimum rates ordered by Commission

Whenever the Federal Maritime Commission finds that any rate, fare, charge, classification, tariff, regulation, or practice demanded, charged, collected, or observed by any carrier subject to the provisions of this chapter is unjust or unreasonable, it may determine, prescribe, and order enforced a just and reasonable maximum or minimum, or maximum and minimum rate, fare, or charge, or a just and reasonable classification, tariff, regulation, or practice: *Provided*, That the minimum-rate provision of this section shall not apply to common carriers on the Great Lakes: *Provided further*, That upon such finding of unjustness or unreasonableness in a proceeding instituted by a complainant pursuant to the provisions of section 821 of this Appendix, the Commission shall direct full reparation to the complainant of the difference between the charge collected and the just and reasonable rate, fare, or charge, plus interest on such amount computed on the basis of the average of the prime rate charged by major banks, as published by the Board of Governors of the Federal Reserve System, during the period to which the reparation applies.

(Mar. 3, 1933, ch. 199, § 4, as added June 23, 1938, ch. 600, § 43(a), 52 Stat. 964, and amended 1950 Reorg. Plan No. 21, § 104(2), eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1274; 1961 Reorg. Plan No. 7, § 103(b), eff. Aug. 12, 1961, 26 F.R. 7315, 75 Stat. 840; Oct. 18, 1978, Pub. L. 95-475, § 4, 92 Stat. 1496.)

AMENDMENTS

1978—Pub. L. 95-475 added proviso directing the Commission to make full reparation to a complainant where there was a proceeding finding of unjustness or

unreasonableness and prescribing the method of computation of the amount of such reparation.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-475 effective ninety days after Oct. 18, 1978, see section 5 of Pub. L. 95-475, set out as a note under section 843 of this Appendix.

EFFECTIVE DATE

Section 43(e) of act June 23, 1938, provided that: "The amendments made by subsections (a), (b), (c), and (d) of this section [enacting sections 845a and 845b of this Appendix and amending sections 847 and 848 of this Appendix] shall take effect ninety days after the date of the enactment of this Act [June 23, 1938]."

REPEALS

For provisional repeal, see note set out preceding section 801 of this Appendix.

TRANSFER OF FUNCTIONS

"Federal Maritime Commission" has been substituted for "Federal Maritime Board" pursuant to Reorg. Plan No. 7 of 1961, set out under section 1111 of this Appendix, which abolished the Federal Maritime Board and transferred all of its functions under this section with respect to the regulation and control of rates, fares, charges, classifications, tariffs, regulations, and practices of common carriers by water to the Federal Maritime Commission pursuant to section 103(b) thereof.

"Federal Maritime Board" was substituted for "Commission" (meaning the United States Maritime Commission) on the authority of Reorg. Plan No. 21 of 1950, set out under section 1111 of this Appendix, section 306 of which abolished the United States Maritime Commission and section 104(2) of which transferred its functions to the Federal Maritime Board.

All executive and administrative functions of the United States Maritime Commission were transferred to the Chairman thereof by Reorg. Plan No. 6 of 1949, eff. Aug. 20, 1949, 14 F.R. 5228, 63 Stat. 1069, set out under section 1111 of this Appendix.

ADMINISTRATIVE ORDERS REVIEW ACT

Court of appeals exclusive jurisdiction respecting final orders of Maritime Administration under this chapter as are subject to judicial review under section 830 of this Appendix, see section 2342 of Title 28, Judiciary and Judicial Procedure.

§ 845b. Application to common carrier by water in interstate commerce and carriage, etc. of property for United States, States, municipalities, or for charitable purposes

The provisions of this chapter are extended and shall apply to every common carrier by water in interstate commerce, as defined in section 801 of this Appendix, and shall apply to the carriage, storage or handling of property for the United States, State or municipal governments, or for charitable purposes.

(Mar. 3, 1933, ch. 199, § 5, as added June 23, 1938, ch. 600, § 43(a), 52 Stat. 964, and amended Oct. 26, 1974, Pub. L. 93-487, § 1, 88 Stat. 1463.)

AMENDMENTS

1974—Pub. L. 93-487 added provision relating to the applicability to the carriage, storage or handling of property for the United States, State or municipal governments, or for charitable purposes.

EFFECTIVE DATE

Section effective ninety days after June 23, 1938, see section 43(e) of act June 23, 1938, set out as a note under section 845a of this Appendix.

REPEALS

For provisional repeal, see note set out preceding section 801 of this Appendix.

§ 847. Application of chapter 23 to intercoastal shipping

The provisions of the Shipping Act, 1916, as amended [46 App. U.S.C. 801 et seq.], shall in all respects, except as amended by this chapter, continue to be applicable to every carrier subject to the provisions of this chapter.

(Mar. 3, 1933, ch. 199, § 7, formerly § 5, 47 Stat. 1427, renumbered and amended June 23, 1938, ch. 600, § 43(c), 52 Stat. 965.)

REFERENCES IN TEXT

The Shipping Act, 1916, as amended, referred to in text, is act Sept. 7, 1916, ch. 451, 39 Stat. 728, as amended, which is classified principally to chapter 23 (§ 801 et seq.) of this Appendix. For complete classification of this Act to the Code, see section 842 of this Appendix and Tables.

AMENDMENTS

1938—Act June 23, 1938, amended text and renumbered section 5 of act Mar. 3, 1933, as section 7.

EFFECTIVE DATE OF 1938 AMENDMENT

Amendment effective ninety days after June 23, 1938, see section 43(e) of act June 23, 1938, set out as a note under section 845a of this Appendix.

REPEALS

For provisional repeal, see note set out preceding section 801 of this Appendix.

§ 848. Short title

This chapter may be cited as the Intercoastal Shipping Act, 1933.

(Mar. 3, 1933, ch. 199, § 8, formerly § 6, 47 Stat. 1427, renumbered June 23, 1938, ch. 600, § 43(d), 52 Stat. 965.)

REPEALS

For provisional repeal, see note set out preceding section 801 of this Appendix.

CHAPTER 24—MERCHANT MARINE ACT, 1920

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|-----------|--|
| Sec. | |
| 861. | Purpose and policy of United States. |
| 862, 863. | Omitted. |
| 864. | Sale of vessels; terms and conditions. |
| 864a. | Purchase allowance in sale of vessels for cost of putting vessels in class. |
| 864b. | Elements considered in sale of vessels in determination of selling price. |
| 865. | Sale to aliens. |
| 865a. | Sale of inactive passenger vessels to foreigners; conditions; requisition in emergency; surety bond. |
| 866. | Establishment and operation of steamship lines between ports of United States. |
| 867. | Investigation of port, terminal, and warehouse facilities. |
| 868. | Vessels sold under deferred payment plan; insurance. |

Sec.

| | |
|---------------|---|
| 869. | Creation of fund for insurance of interests of United States. |
| 870a to 870d. | Omitted. |
| 871. | Repair and operation of vessels until sale. |
| 872. | Sale of property other than vessels. |
| 874. | Omitted. |
| 875. | Possession and control of terminal equipment and facilities. |
| 876. | Power of Secretary and Commission to make rules and regulations. |
| 877. | Coastwise laws extended to Island Territories and possessions. |
| 878, 879. | Omitted. |
| 883. | Transportation of merchandise between points in United States in other than domestic built or rebuilt and documented vessels; incineration of hazardous waste at sea. |
| 883-1. | Corporation as citizen; fisheries and transportation of merchandise or passengers between points in United States; parent and subsidiary corporations; domestic built vessels; certificate; surrender of documents on change in status. |
| 883a. | Reports required of United States vessels rebuilt abroad; penalty for failure to report; mitigation of penalty. |
| 883b. | Regulations. |
| 884. | Charges for transportation subject to Interstate Commerce provisions. |
| 885. | Association of marine insurance companies; application of antitrust laws. |
| 887. | Partial invalidity. |
| 888. | Definitions. |
| 889. | Short title. |

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1114, 1225 of this Appendix; title 15 section 1014.

§ 861. Purpose and policy of United States

It is necessary for the national defense and for the proper growth of its foreign and domestic commerce that the United States shall have a merchant marine of the best equipped and most suitable types of vessels sufficient to carry the greater portion of its commerce and serve as a naval or military auxiliary in time of war or national emergency, ultimately to be owned and operated privately by citizens of the United States; and it is declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine, and, insofar as may not be inconsistent with the express provisions of this Act, the Secretary of Transportation shall, in the disposition of vessels and shipping property as hereinafter provided, in the making of rules and regulations, and in the administration of the shipping laws keep always in view this purpose and object as the primary end to be attained.

(June 5, 1920, ch. 250, § 1, 41 Stat. 988; Ex. Ord. No. 6166, § 12, eff. June 10, 1933; June 29, 1936, ch. 858, §§ 204, 904, 49 Stat. 1987, 2016; Aug. 6, 1981, Pub. L. 97-31, § 12(33), 95 Stat. 156.)

REFERENCES IN TEXT

This Act, referred to in text, means act June 5, 1920, ch. 250, 41 Stat. 988, as amended, known as the Merchant Marine Act, 1920, which is classified generally to this chapter and chapter 25 (§ 911 et seq.) of this Appendix. For complete classification of this Act to