

116TH CONGRESS
1ST SESSION

H. R. 2926

To amend title 46, United States Code, to adjust certain standards for shipping safety, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2019

Mr. SEAN PATRICK MALONEY of New York introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 46, United States Code, to adjust certain standards for shipping safety, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Navigation Safety Act
5 of 2019”.

6 **SEC. 2. ELECTRONIC CHARTS; EQUIVALENCY.**

7 (a) REQUIREMENTS.—Section 3105(a)(1) of title 46,
8 United States Code, is amended to read as follows:

9 “(1) ELECTRONIC CHARTS IN LIEU OF MARINE
10 CHARTS, CHARTS, AND MAPS.—Subject to paragraph

(2), the following vessels, while operating on the navigable waters of the United States, shall be equipped with and operate electronic navigational charts conforming to a standard acceptable to the Secretary in lieu of any marine charts, charts, and maps required by titles 33 and 46, Code of Federal Regulations, as in effect on the date of the enactment of this paragraph:

“(A) A self-propelled commercial vessel of at least 65 feet in overall length.

“(B) A vessel carrying more than a number of passengers for hire determined by the Secretary.

“(C) A towing vessel of more than 26 feet in overall length and 600 horsepower.

“(D) Any other vessel for which the Secretary decides that electronic charts are necessary for the safe navigation of the vessel.”.

(b) EXEMPTIONS AND WAIVERS.—Section 3105(a)(2) of title 46, United States Code, is amended by—

(1) in subparagraph (A), by striking “operates; and” and inserting “operates;”;

(2) in subparagraph (B), by striking “those waters.” and inserting “those waters; and”; and

1 (3) by adding at the end the following:

2 “(C) permit vessels that operate solely
3 landward of the baseline from which the terri-
4 torial sea of the United States is measured to
5 utilize software-based, platform-independent
6 electronic chart systems that the Secretary de-
7 termines are capable of displaying electronic
8 navigational charts with necessary scale and de-
9 tail to ensure safe navigation for the intended
10 voyage.”.

11 **SEC. 3. OFFSHORE NAVIGATION.**

12 (a) PORT ACCESS ROUTES.—Section 70003(e) of
13 title 46, United States Code, is amended—

14 (1) in paragraph (3), by striking “continues;
15 and” and inserting “continues;”;

16 (2) in paragraph (4), by striking the period at
17 the end and inserting “; and”; and

18 (3) by adding at the end the following:

19 “(5) shall, unless otherwise authorized by the
20 Secretary, and notwithstanding any other provision
21 of this chapter, require—

22 “(A) a 2-nautical-mile buffer between the
23 parallel outer or seaward boundary of a traffic
24 lane and any offshore structure affixed to the

1 submerged land of the Outer Continental Shelf;
2 and

3 “(B) a 5-nautical-mile buffer between the
4 entry or exit of any traffic separation scheme
5 and any offshore structure.”.

6 (b) NAVIGATION; CONFLICT MITIGATION.—Not later
7 than 1 year after the date of the enactment of this Act,
8 the Secretary of the department in which the Coast Guard
9 is operating shall implement the recommendations of the
10 Atlantic Coast Port Access Route Study, docket number
11 USCG–2011–0351, dated February 24, 2016, including
12 any recommendations in the appendices thereto.

13 (c) FAIRWAYS.—Not later than July 1, 2021, the
14 Commandant of the Coast Guard shall conduct a review
15 of navigation on the East Coast of the United States and
16 submit recommendations for new fairways on such coast
17 to facilitate commerce to the Committee on Transpor-
18 tation and Infrastructure of the House of Representatives
19 and the Committee on Commerce, Science, and Transpor-
20 tation of the Senate.

21 **SEC. 4. SAFETY OF SPECIAL ACTIVITIES.**

22 (a) IN GENERAL.—Title 46, United States Code, is
23 amended by inserting after section 70005 the following:

1 **“§ 70006. Safety of special activities**

2 “(a) IN GENERAL.—The Secretary may establish a
3 safety zone to address special activities in the exclusive
4 economic zone.

5 “(b) DEFINITIONS.—In this section:

6 “(1) The term ‘safety zone’ has the meaning
7 provided in section 165.20 of title 33, Code of Fed-
8 eral Regulations.

9 “(2) The term ‘special activities’ includes—

10 “(A) space activities, including launch and
11 reentry, as those terms are defined in section
12 50902 of title 51, carried out by United States
13 citizens; and

14 “(B) offshore energy development activi-
15 ties, as described in section 8(p)(1)(C) of the
16 Outer Continental Shelf Lands Act (43 U.S.C.
17 1337(p)(1)(C)), on or near a fixed platform.

18 “(3) The term ‘United States citizen’ has the
19 same meaning as the term ‘eligible owners’ in sec-
20 tion 12103.

21 “(4) The term ‘fixed platform’ means an artifi-
22 cial island, installation, or structure permanently at-
23 tached to the sea-bed for the purpose of exploration
24 or exploitation of resources or for other economic
25 purposes.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
 2 ter 700 of title 46, United States Code, is amended by
 3 inserting after the item relating to section 70005 the fol-
 4 lowing:

“70006. Safety of special activities.”.

5 (c) REGULATIONS.—

6 (1) IN GENERAL.—Not later than 1 year after
 7 the date of the enactment of this Act, the Secretary
 8 of the department in which the Coast Guard is oper-
 9 ating shall establish regulations to implement this
 10 section.

11 (2) ALIGNMENT WITH OTHER REGULATIONS.—
 12 Such regulations shall align with subchapter C of
 13 chapter III of title 14, Code of Federal Regulations.

14 **SEC. 5. TOWING VESSELS; OPERATION OUTSIDE THE**
 15 **BOUNDARY LINE.**

16 (a) INTERIM EXEMPTION.—A towing vessel to which
 17 this section applies is exempt from any additional require-
 18 ments of subtitle II of title 46, United States Code, and
 19 chapter I of title 33 and chapter I of title 46, Code of
 20 Federal Regulations that would result solely from such
 21 vessel operating outside the Boundary Line (as such term
 22 is defined in section 103 of title 46, United States Code)
 23 if such vessel—

1 (1) is listed as a response vessel on a vessel re-
2 sponse plan and is operating outside the Boundary
3 Line solely to perform duties of a response vessel; or
4 (2) is operating outside the Boundary Line
5 solely to perform operations necessary to escort a
6 vessel with limited maneuverability.

7 (b) APPLICABILITY.—This section applies to a towing
8 vessel—

9 (1) that is subject to inspection under chapter
10 33 of title 46, United States Code, and subchapter
11 M of title 46, Code of Federal Regulations;

12 (2) with only “Lakes, Bays, and Sounds” or
13 “Rivers” routes recorded on such vessel’s certificate
14 of documentation under section 176.110 of title 46,
15 Code of Federal Regulations; and

16 (3)(A) that, with respect to a vessel that is de-
17 scribed in subsection (a)(1), is listed on a vessel re-
18 sponse plan under part 155 of title 33, Code of Fed-
19 eral Regulations, on the date of the enactment of
20 this Act; or

21 (B) that, with respect to a vessel described in
22 subsection (a)(2), is regularly engages in harbor as-
23 sist operations, including the docking, undocking,
24 mooring, unmooring, and escorting of vessels with
25 limited maneuverability.

1 (c) LIMITATIONS.—A vessel exempted under sub-
2 section (a) is subject to the following operating limitations:

3 (1) RESPONSE VESSELS.—The voyage of a ves-
4 sel exempted under subsection (a)(1) shall—

5 (A) be less than 12 hours in total duration;
6 and

7 (B) originate and end in the inspection
8 zone of a single Officer In-Charge, Marine In-
9 spection, as defined in section 3305(d)(4) of
10 title 46, United States Code.

11 (2) ESCORT VESSELS.—The voyage of a vessel
12 exempted under subsection (a)(2) shall—

13 (A) be less than 12 hours in total duration;

14 (B) originate and end in the inspection
15 zone of a single Officer In-Charge, Marine In-
16 spection, as such term is defined in section
17 3305(d)(4) of title 46, United States Code; and

18 (C) occurs no further than 10 nautical
19 miles from the Boundary Line.

20 (d) TERMINATION.—The interim exemption provided
21 under subsection (a) shall terminate on July 22, 2023.

22 (e) RESTRICTION.—The Officer In-Charge, Marine
23 Inspection, as defined in section 3305(d)(4) of title 46,
24 United States Code, for an inspection zone may restrict

1 operations under the exemptions provided under sub-
2 section (a) for safety purposes.

3 (f) BRIEFING.—Not later than July 22, 2022, the
4 Commandant of the Coast Guard shall brief the Com-
5 mittee on Transportation and Infrastructure of the House
6 of Representatives and the Committee on Commerce,
7 Science, and Transportation of the Senate regarding the
8 following:

9 (1) The impacts of the interim exemptions pro-
10 vided under this section.

11 (2) Any safety concerns regarding the expira-
12 tion of such interim exemptions.

13 (3) Whether such interim exemptions should be
14 extended or made permanent in the interests of safe-
15 ty.

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