

1758 AMENDING SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

124.14

UNITED STATES COAST GUARD

(4) A master of a vessel who reports in accordance with the U.S. Coast Guard's voluntary Automated Merchant Vessel Report (AMVER) System and who includes in this report an estimated time of arrival at the Snell Lock, Massena, New York, shall be considered to be in constructive compliance with the requirements of subparagraph (1) of this paragraph and no additional advance notice of vessel's arrival at the Snell Lock is required. Likewise a master of such vessel who indicates in this report the name of the first intended United States port of call and estimated time of arrival at that port shall be considered in constructive compliance with subparagraph (2) of this paragraph and no additional advance notice of arrival is required.

(56-54, 21 F.R. 9565, Dec. 4, 1956)

NOTE: For the information of those affected by requirements in 33 CFR Part 124 to file advance notice of time of arrival with the local Captain of the Port or the Coast Guard District Commander, the addresses and descriptions of Coast Guard Districts, as well as Captain of the Port Offices and port areas are included in the appendix. (See pages 46 through 55.)

(5) A master or agent of a vessel who files a copy of the scheduled route with the Commander, Ninth Coast Guard District, Cleveland, Ohio, at least 24 hours prior to arrival at Snell Lock, and who includes in the schedule the estimated time of arrival at the Snell Lock, Massena, N.Y., shall be considered to be in constructive compliance with requirements of subparagraph (1) of this paragraph and no additional advance notice of the vessel's arrival at the Snell Lock is required. Likewise, a master or agent of such vessel who indicates in this schedule the name of the first intended United States port of call and estimated time of arrival at that port shall be considered in constructive compliance with subparagraph (2) of this paragraph and no additional advance notice of arrival is required.

(6) When the arrival is a direct result of the operation of "force majeure," and it is not possible to give at least 24 hours advance notice of time of arrival, then advance notice as early as practicable shall be furnished.

(CGFR 55-33, 20 F.R. 5646, Aug. 5, 1955. CGFR 56-24, 21 F.R. 9565, Dec. 4, 1956. CGFR 62-24, 27 F.R. 7823, Aug. 8, 1962. CGFR 63-26, 28 F.R. 5297, May 29, 1963. CGFR 63-60, 28 F.R. 10519, Oct. 9, 1963. CGFR 66-32, 31 F.R. 10324, July 30, 1966)

124.14 Advance notice of arrival of vessel laden with explosives or certain specified dangerous cargoes. (a) The master, agent, or person in charge of any domestic or foreign vessel which is bound for a port or place in the United States and which is carrying as cargo any of the dangerous cargoes described in this paragraph, whether for discharge in the United States or not, shall, at least 24 hours in advance of arrival at each port or place, notify the Captain of the Port or the Commander of the Coast Guard District in which such port or place is located concerning the amount and location of stowage on board the vessel of any of the following:

(1) Explosives, Class A (commercial or military).

(2) Oxidizing materials for which a special permit for water transportation is required by 46 CFR 146.22.

(3) Radioactive materials for which a special approval by the Commandant for water transportation is required by 46 CFR 146.25-30.

(b) When the arrival is a direct result of "force majeure," and it is not possible to give at least 24 hours' advance notice, then advance notice as early as possible shall be furnished.

(CGFR 64-17, 29 F.R. 5277, Apr. 17, 1964)

124.16 Advance notice of fire or other abnormal condition on arriving vessel. (a) The master, agent, or person in charge of any domestic or foreign vessel which is bound for a port or place in the United States shall give notice to the Captain of the Port or the Commander of the Coast Guard District in which such port or place is located as early as possible in advance of arrival of any fire or other abnormal condition which may jeopardize the vessel's safety or that of other vessels or facilities in port.

(CGFR 64-17, 29 F.R. 5277, Apr. 17, 1964)

124.20 Penalties for violations. Failure to give advance notice will subject the master or agents of a vessel to the penalties of fine and imprisonment, as well as subject the vessel to seizure and forfeiture, as provided in section 2, Title II of the Act of June 15, 1957, as amended, 50 U.S.C. 192. In addition, such failure may result in delay in the movement of the vessel from the harbor entrance to her facility destination within the particular port.

(CGFR 60-15, 25 F.R. 2666, Mar. 30, 1960)