

1772 AMENDING SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

126.31

UNITED STATES COAST GUARD

of the Captain of the Port or his representative, not inconsistent with this part, with respect to such handling, storing, stowing, loading, discharging and transporting; with respect to the operation of the waterfront facility; with respect to vessels handling, stowing, loading, or discharging of dangerous cargo at anchorages when the operations are under the immediate control and supervision of the Captain of the Port or his duly authorized representative; with respect to the ingress and egress of persons, articles and things and to their presence on the waterfront facility or vessel; and with respect to vessels approaching, moored at, and departing from the waterfront facility, shall be promptly obeyed.

(CGFR 57-52, 22 F. R. 10303, Dec. 20, 1957)

126.31 Termination or suspension of general permit. The Captain of the Port is hereby authorized to terminate or to suspend the general permit granted by Section 126.27 in respect to any particular designated waterfront facility whenever he deems that the security or safety of the port or vessels or waterfront facilities therein so requires. Confirmation of such termination or suspension shall be given to the permittee in writing. After such termination, the general permit may be revived by the Commandant with respect to such particular waterfront facility upon a finding by him that the cause of termination no longer exists and is unlikely to recur. After such suspension, the general permit shall be revived by the Captain of the Port with respect to such particular

waterfront facility when the cause of suspension no longer exists, and he shall so advise the permittee in writing.

126.33 Penalties for handling dangerous cargo without permit. Handling, storing, stowing, loading, discharging, or transporting any dangerous cargo covered by Section 126.27 under circumstances not covered by the general permit granted in Section 126.27 or when such general permit is not in force will subject persons responsible therefor to the penalties of fine and imprisonment provided in section 2, Title II of the act of June 15, 1917, as amended, 50 U. S. C. 192.

126.35 Primary responsibility. Nothing contained in the rules, regulations, conditions, and designations in this part shall be construed as relieving the masters, owners, operators, and agents of vessels, docks, piers, wharves, or other waterfront facilities from their primary responsibility for the security of such vessels, docks, piers, wharves, or waterfront facilities.

126.37 Separability. If any provision of the rules, regulations, conditions, or designations contained in this part or the application of such provision to any person, waterfront facility, or circumstances shall be held invalid, the validity of the remainder of the rules, regulations, conditions, or designations contained in this part and applicability of such provision to other persons, waterfront facilities, or circumstances, shall not be affected thereby.