

## Public Law 92-416

## AN ACT

August 29, 1972  
[H. R. 755]

To amend the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, to convert criminal penalties to civil penalties in certain instances, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Shipping Act, 1916 (46 U.S.C. 801 et seq.), is amended as follows:*

(a) By deleting that part of the first sentence in the last paragraph of section 15, immediately preceding the proviso, and substituting the following:

“Whoever violates any provision of this section or of section 14b shall be subject to a civil penalty of not more than \$1,000 for each day such violation continues.”

(b) By deleting the last paragraph of section 16 and substituting the following:

“Whoever violates any provision of this section other than paragraphs First and Third hereof shall be subject to a civil penalty of not more than \$5,000 for each such violation.

“Whoever violates paragraphs First and Third hereof shall be guilty of a misdemeanor punishable by a fine of not more than \$5,000 for each offense.”

(c) By deleting section 18(b) (6) and substituting the following:

“(6) 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.”

(d) By amending the first paragraph of section 23 to read as follows:

“Orders of the Commission relating to any violation of this Act or to any violation of any rule or regulation issued pursuant to this Act shall be made only after full hearing, and upon a sworn complaint or in proceedings instituted of its own motion.”

(e) By deleting section 32 and substituting therefor the following:

“SEC. 32. (a) That whoever violates any provision of sections 14 through 21 and section 44 of this Act, except where a different penalty is provided, shall be subject to a civil penalty not to exceed \$5,000 for each such violation.

“(b) Whoever violates any provision of any other section of this Act, except where a different penalty is provided, shall be guilty of a misdemeanor, punishable by a fine not to exceed \$5,000.

“(c) Whoever violates any order, rule, or regulation of the Federal Maritime Commission made or issued in the exercise of its powers, duties, or functions, shall be subject to a civil penalty of not more than \$1,000 for each day such violation continues.”

SEC. 2. The last sentence of section 2 of the Intercoastal Shipping Act, 1933 (46 U.S.C. 844), is amended to read as follows:

“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.”

SEC. 3. Any civil penalty provided herein may be compromised by the Federal Maritime Commission, or may be recovered by the United States in a civil action.

Approved August 29, 1972.

Federal Maritime Commission.  
Shipping laws,  
civil penalties.  
39 Stat. 728.  
75 Stat. 763;  
78 Stat. 148.  
46 USC 814.  
46 USC 813a.

49 Stat. 1518.  
46 USC 815.

46 USC 817.

46 USC 822.

46 USC 831.

46 USC 812-  
820, 841b.

79 Stat. 213.

Civil penalty,  
compromise or  
recovery.