

**TITLE 33 - NAVIGATION AND NAVIGABLE WATERS**  
**CHAPTER 30 - INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA**

**§ 1608. Civil penalties**

**(a) Liability of vessel operator for violations**

Whoever operates a vessel, subject to the provisions of this chapter, in violation of this chapter or of any regulation promulgated pursuant to section 1607 of this title, shall be liable to a civil penalty of not more than \$5,000 for each such violation.

**(b) Liability of vessel for violations; seizure of vessel**

Every vessel subject to the provisions of this chapter, other than a public vessel being used for noncommercial purposes, which is operated in violation of this chapter or of any regulation promulgated pursuant to section 1607 of this title, shall be liable to a civil penalty of not more than \$5,000 for each such violation, for which penalty the vessel may be seized and proceeded against in the district court of the United States of any district within which such vessel may be found.

**(c) Assessment of penalties; notice; opportunity for hearing; remission, mitigation, and compromise of penalty; action for collection**

The Secretary of the department in which the Coast Guard is operating may assess any civil penalty authorized by this section. No such penalty may be assessed until the person charged, or the owner of the vessel charged, as appropriate, shall have been given notice of the violation involved and an opportunity for a hearing. For good cause shown, the Secretary may remit, mitigate, or compromise any penalty assessed. Upon the failure of the person charged, or the owner of the vessel charged, to pay an assessed penalty, as it may have been mitigated or compromised, the Secretary may request the Attorney General to commence an action in the appropriate district court of the United States for collection of the penalty as assessed, without regard to the amount involved, together with such other relief as may be appropriate.

(Pub. L. 95–75, § 9, July 27, 1977, 91 Stat. 310; Pub. L. 96–591, § 6(3), (4), Dec. 24, 1980, 94 Stat. 3435.)

**Amendments**

1980—Subsec. (a). Pub. L. 96–591, § 6(3), substituted “\$5,000” for “\$500”.

Subsec. (b). Pub. L. 96–591, § 6(4), substituted “not more than \$5,000” for “\$500”.

**Transfer of Functions**

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468 (b), 551 (d), 552 (d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.