

Public Law 99-626
99th Congress

An Act

Nov. 7, 1986
[H.R. 4731]

To enhance boating safety by requiring a report relating to the display on gasoline pumps of the type of alcohol, the percentage of each type of alcohol, and the percentage of cosolvents, if any, contained in the gasoline; to amend chapter 131 of title 46, United States Code, relating to recreational boating safety; and for other purposes.

Recreational Boating Safety Act of 1986.
46 USC 13101 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This act may be cited as the "Recreational Boating Safety Act of 1986".

SEC. 2. REPORT.

Maritime affairs.

(a) Prior to February 1, 1987, the Secretary shall submit a report to Congress relating to the use of alcohol-blended gasoline in recreational vessels including the following:

Uniformed services.

(1) the results of (1) testing performed and (2) a review of fire and explosion boating incidents, under the recreational boating safety program of the Coast Guard.

(2) a survey of published test data performed in the private sector.

(3) a listing of sales of alcohol-blended gasoline by State and type of alcohol.

State and local governments.

(4) a listing of State requirements for labeling of alcohol-blended gasoline including type of alcohol, percent of alcohol, label requirements, alcohol test standards, enforcement and compliance measures, and any other relevant data.

(5) an assessment of State labeling requirements in promoting recreational boating safety and in providing information to the consumer regarding alcohol-blended gasoline.

(6) a listing of Federally mandated requirements that require labeling of alcohol-blended gasoline or regulate or concern the use of alcohol in gasoline.

(7) a recommendation on how to promote recreational boating safety or advance consumer information regarding the use of alcohol-blended gasoline.

(8) any other relevant data or information.

(b) The Secretary shall consult with appropriate agencies and the National Boating Safety Advisory Council in preparing the report required under this section. If possible, the Secretary shall, under section 13110(b)(2) of title 46, United States Code, appoint members of the general public having knowledge, experience, or expertise with alcohol-blended fuels to a panel of the Council for the purpose of advising the Secretary regarding this report.

SEC. 3. NATIONAL BOATING SAFETY ADVISORY COUNCIL.

(a) **TERMINATION DATE.**—(1) Section 13110 of title 46, United States Code, is amended by inserting at the end the following new subsection:

“(e) The Council shall terminate on September 30, 1991.”

(b) **CHANGE IN MEMBERSHIP.**—(1) Section 13110(a) of title 46, United States Code, is amended—

(A) by striking “not more than”; and

(B) by inserting “recreational” after “experience in”;

(2) Paragraph (1) of section 13110(b) of title 46, United States Code, is amended to read as follows:

“(1) The membership of the Council shall consist of—

“(A) 7 members from State officials responsible for State boating safety programs;

“(B) 7 members from recreational vessel manufacturers and associated equipment manufacturers; and

“(C) 7 members from national recreational boating organizations and from the general public, at least 5 of whom shall be members from national recreational boating organizations.”

(3) The Secretary of Transportation shall carry out the amendments made by paragraph (2) as vacancies in the membership of the National Boating Safety Advisory Council occur.

46 USC 13110
note.

SEC. 4. TECHNICAL AMENDMENTS.

(a) Section 13102(a) of title 46, United States Code, is amended by striking “Fund established under section 13107 of this title” and inserting “Boat Safety Account established by section 9504 of the Internal Revenue Code of 1954.”

(b) Section 13102(a)(4) of title 46, United States Code, is amended by inserting “out” after “carrying”.

(c) Section 13106(b) of title 46, United States Code, is amended by striking “may” the second place it appears and inserting “shall” and by striking “or” in paragraph (8) and inserting “and”.

26 USC 9504.
Ante, p. 446.

SEC. 5. CONVEYANCE AGREEMENT PROVISIONS.

(a) Under the agreement dated December 9, 1977 between the Commandant of the Coast Guard and Koniag, Incorporated, a regional native corporation, pursuant to Public Law 92-203 (a copy of which is recorded beginning at book 44, page 179 of the Kodiak Recording District, Kodiak, Alaska) and any conveyance made under that agreement, the rights or title conveyed to Koniag, Incorporated, shall be construed to include the following:

Uniformed
services.
Corporations.
Alaska.
43 USC 1601
note.

(1) Under the agreement, welding or other equipment or machinery may be operated or maintained on lands conveyed to Koniag, Incorporated, if the equipment or machinery does not cause harmful electromagnetic interference with the Coast Guard Holiday Beach receiver site or is operated and maintained under terms and conditions mutually agreeable to the Coast Guard and Koniag, Incorporated. Harmful electromagnetic interference is defined as radio frequency signals which disrupt or degrade communications reception performance.

Communications
and
telecommunica-
tions.

(2) The conveyance of the “old shipyard” includes the wharf and all lands of any nature beneath the wharf.

(3) An access and utility easement is intended as part of the conveyance for parcel 2, known as Cliff Point, which consists of—

(A) a 100-foot wide access easement along the existing access road or a location that is mutually agreeable to the Coast Guard and Koniag, Incorporated, and includes the right to construct and operate an access road, bridges, guard rails, and other associated improvements; and

(B) a 40-foot wide utility easement adjacent to the access easement in paragraph (3)(A) of this subsection or a location that is mutually agreeable to the Coast Guard and Koniag, Incorporated.

(4) The construction, maintenance, and operation of a dock facility or location of any structure or thing on the premises described in section (c) of schedule 4 of the agreement is not inconsistent with the easement for the barge landing easement and access to and from the barge landing area reserved by the United States Government (hereinafter referred to in this paragraph as the "Government"), if the dock facility is constructed or the structure or thing is located as approved by the Government. Approval by the Government is deemed to be granted if a proposal for the construction and location of the dock facility, structure, or thing is submitted to the Government and—

(A) the Government does not respond within 60 days of receipt of the proposal; or

(B) if a response with recommendations for modification is submitted by the Government within 60 days of receipt of the proposal, the proposal is modified in a manner necessary to reasonably satisfy the requirements of the Government—

(i) to use the dock facility for a barge landing area as contemplated by the easement; and

(ii) to permit access to and from the barge loading area to public highways for the transportation of materials as specified in Agreement.

(b) All rights or conveyances confirmed by this section are subject to the sanctions in the Agreement referred to in subsection (a).

(c) The Commandant of the Coast Guard or other appropriate Federal officer shall issue the appropriate corrective conveyance and perform any other appropriate ministerial or official act necessary to carry out the purposes of this section within 60 days after the date of enactment of this section.

Highways.
Transportation.

Contracts.
State and local
governments.
16 USC 1456a
note.

SEC. 6. AUTHORITY TO MAKE LOANS.

The authority of the Secretary of Commerce to make loans under paragraph (1) of subsection (d) of section 308 of the Coastal Zone Management Act of 1972 (Public Law 92-583, 16 U.S.C. 1451, et seq.) as amended, shall extend to September 30, 1987, for loans made to eligible States or units pursuant to and in accord with agreements entered into between the Secretary and any State prior to September 30, 1986, that provided for a total sum of loans to be made to that State or its units, but such loan authority shall be limited to \$7,000,000.

Grants.
State and local
governments.

SEC. 7. AMENDMENT TO THE COASTAL ZONE MANAGEMENT ACT OF 1972.

Section 318 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1464) is amended by adding at the end thereof the following:

"(d) The amount of any grant, or portion of a grant, made to a State under any section of this Act which is not obligated by such State during the fiscal year, or during the second fiscal year after

the fiscal year, for which it was first authorized to be obligated by such State shall revert to the Secretary. The Secretary shall add such reverted amount to those funds available for grants under the section for such reverted amount was originally made available.”.

Approved November 7, 1986.

LEGISLATIVE HISTORY—H.R. 4731:

HOUSE REPORTS: No. 99-968 (Comm. on Merchant Marine and Fisheries).
CONGRESSIONAL RECORD, Vol. 132 (1986):
Oct. 6, considered and passed House.
Oct. 18, considered and passed Senate, amended; House concurred in Senate amendments.