

Ports and Waterways Safety Act

Agencies: U.S. Coast Guard

Citation: [33 U.S.C. §§ 1221 et seq.](#)

Enacted as: the “Ports and Waterways Safety Act of 1972”, July 10, 1972

Summary:

The [Ports and Waterways Safety Act of 1972 \(PWSA\)](#) authorizes the U.S. Coast Guard to establish vessel traffic service/separation schemes (VTSS) for ports, harbors, and other waters subject to congested vessel traffic. The VTSS apply to commercial ships, other than fishing vessels, weighing 300 gross tons (270 gross metric tons) or more. The Oil Pollution Act amended the PWSA to mandate that appropriate vessels must comply with the VTSS.

Generally, the PWSA applies in any port or place under the jurisdiction of the United States, or in any area covered by an international agreement. Title 33 C.F.R. 2.05-30 defines waters subject to the jurisdiction of the U.S. as navigable waters, other waters on lands owned by the U.S., and waters within U.S. territories and possession of the U.S.

The PWSA was amended by the Port and Tanker Safety Act (PTSA) of 1978 (Public Law 95-474). Under the PTSA, Congress found that increased supervision of vessel and port operations was necessary to reduce the possibility of vessel or cargo loss, or damage to life, property or the marine environment and ensure that the handling of dangerous articles and substances on the structures in, on, or immediately adjacent to the navigable waters of the United States is conducted in accordance with established standards and requirements.

The PTSA provided broader regulatory authority over regulated and non-regulated areas such as improvements in the supervision and control of all types of vessels operating in U.S. navigable waters, and in the safety of foreign or domestic tank vessels that transport or transfer oil or hazardous cargoes in ports or places subject to United States jurisdiction. The PTSA also reflects certain tank vessel standards and requirements accepted internationally, specifically those developed by the International Conference on Tanker Safety and Pollution Prevention.

Source: http://www.oceancommission.gov/documents/gov_oceans/pwsa.pdf

Information last updated: September 20, 2012