

**Federal Maritime Commission**  
**Plan for Regulatory Reform of Existing FMC Rules**  
Updated: November 23, 2020

The Regulatory Reform Task Force, with the advice of the Commission and public input, adopted the Plan for Regulatory Reform of Existing FMC Rules (the Plan) on December 7, 2017. The Plan accounts for current Commission regulatory reform priorities and actions and is updated periodically to reflect ongoing progress. The Plan is voluntarily issued pursuant to Executive Order 13777, *Enforcing the Regulatory Agenda*, directing agencies to evaluate and identify regulations that are outdated, unnecessary, ineffective, eliminate jobs or inhibit job creation, impose costs that exceed benefits, or otherwise interfere with regulatory reform initiatives.

| <b>46 CFR Part</b> | <b>Heading</b>                                                                                               | <b>Action</b>                                                                                      | <b>Review Timeframe (Calendar years)</b>                                                                                       |
|--------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>Part 531</b>    | NVOCC Service Arrangements                                                                                   | Review and modify to remove outdated, ineffective, or unnecessary regulations or costs.            | <b>Status:</b> Completed. Final Rule effective 8/22/2018.                                                                      |
| <b>Part 532</b>    | NVOCC Negotiated Rate Arrangements                                                                           |                                                                                                    |                                                                                                                                |
| <b>Part 506</b>    | Civil Monetary Penalty Inflation Adjustment                                                                  | Review and update consistent with OMB guidance.                                                    | Annual updates required by January 15.<br><br><b>Status:</b> In progress. Last completed 1/2/2020.                             |
| <b>Part 535</b>    | Ocean Common Carrier and Marine Terminal Operator Agreements Subject to the Shipping Act of 1984             | Review and modify to remove outdated, ineffective, or unnecessary regulations or costs.            | <b>Status:</b> Currently under review.                                                                                         |
| <b>Part 504</b>    | Procedures for Environmental Policy Analysis                                                                 | Review and update consistent with NEPA and CEQ guidance.                                           | <b>Status:</b> Pending Commission consideration of further staff recommendations.                                              |
| <b>Part 515</b>    | Licensing, Financial Responsibility Requirements, and General Duties for Ocean Transportation Intermediaries | Review and modify to reflect changes to automation of the OTI bonding procedures.                  | <b>Status:</b> Completed. Final Rule effective 12/16/2019.                                                                     |
| <b>Part 540</b>    | Passenger Vessel Financial Responsibility                                                                    | Review and modify Commission processes for the denial, suspension, and revocation of OTI licenses. | Completed. Final Rule effective 3/2/2020.                                                                                      |
| <b>Part 540</b>    | Passenger Vessel Financial Responsibility                                                                    | Review for modification or repeal.                                                                 | <b>Status:</b> Currently under review. Advance Notice of Proposed Rulemaking, arising under Fact Finding 30, issued 10/7/2020. |
| <b>Part 520</b>    | Carrier Automated Tariffs                                                                                    | Review and modify to remove outdated, ineffective, or unnecessary regulations or costs.            | <b>Status:</b> Currently under review.                                                                                         |
| <b>Part 525</b>    | Marine Terminal Operator Schedules                                                                           | Review and modify to remove outdated, ineffective, or unnecessary regulations or costs.            | <b>Status:</b> Currently under review.                                                                                         |

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|-----------------|-------------------------------------------|---------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Part 530</b> | Service Contracts                         | Review and modify to remove outdated, ineffective, or unnecessary regulations or costs.     | <b>Status:</b> Completed.<br>Final Rule issued on 6/25/2020 in Docket No. 20-02, eliminating the requirement that ocean carriers publish a concise statement of essential terms with each service contract.<br><br>On 4/27/2020, the Commission granted temporary relief in Docket No. 20-06, exempting carriers from filing original service contracts with the FMC prior to movement of cargo. Permanent relief is under consideration. |
| <b>Part 501</b> | The Federal Maritime Commission – General | Update administrative and organizational regulations to conform with recent agency changes. | <b>Status:</b> 2021 review and modify.                                                                                                                                                                                                                                                                                                                                                                                                    |