

Regulatory Status – 2023/24 Federal Regulations

(Items in red text indicate a change of status or new item)

May 10, 2024

Key Updates on IANA Policy Issues

- **FMC issues correction to final rule clarifying which entities may be billed detention and demurrage charges. ([More info](#)).**

Type	Date Posted	Title <i>(As Published in the Federal Register)</i>	Federal Register Page # (Vol. #)	Status
Final Rule; Correction	05/09/24	Detention and Demurrage Practices <i>Keywords: Ports; Shipping Act</i>	<u>39569(89)</u>	FMC issues correction to final rule clarifying which entities may be billed detention and demurrage charges.
Lawsuit	04/18/24		<u>Lawsuit</u>	World Shipping Council files petition with U.S. Court of Appeals for the District of Columbia Circuit requesting review of detention and demurrage billing rule.
Final Rule	02/23/24		<u>14330(89)</u>	FMC issues final rule amending regulations governing demurrage and detention billing requirements.
Update	03/23/23		<u>Update</u>	FMC seeks information to confirm ocean carriers' compliance with demurrage and detention regulations.
Final Rule	03/20/23		<u>16573(88)</u>	FMC issues final rule amending regulations for the collection and assessment of civil penalties to incorporate OSRA provisions, effective 04/19/23.
Notice of Proposed Rulemaking	10/07/22		<u>62341(87)</u>	FMC seeks comments on proposed changes to detention and demurrage billing requirements.
Meeting	05/01/24	National Shipper Advisory Committee <i>Keywords: Shipping</i>	<u>35096(89)</u>	FMC announces next NSAC meeting on 05/20/24.
Request for Information	04/16/24	Initiative to Improve Ocean Cargo Velocity <i>Keywords: Federal Maritime Commission</i>	<u>26881(89)</u>	FMC requests comments on questions related to transparency, data accuracy, and cargo availability. Comments due 06/17/24.

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Request for Information	08/16/23		<u>55697(88)</u>	FMC requests comments on questions related to maritime data accessibility and accuracy.
Report	04/21/23		<u>Update</u>	Commissioner Bentzel issues report with Maritime Transportation Data Initiative final recommendations.
Notice	11/15/21		<u>Notice</u>	FMC announces initiative to identify data constraints impeding the flow of ocean cargo and creating inefficiencies in the supply chain.
Update	03/25/24	IMCC Complaint for Violation of the Shipping Act of 1984, 46 U.S.C. § 41102(C) <i>Keywords: Shipping Act; Chassis; Trucks</i>	<u>Joint Status Report</u>	IMCC and ocean carriers file joint status report proposing next steps.
Update	03/14/24		<u>Petition</u>	Ocean carriers petition FMC to vacate the initial decision and remand matters to the Administrative Law Judge.
Update	02/23/24		<u>Order</u>	FMC orders parties to develop joint status report to resolve remaining issues.
Decision	02/13/24		<u>Decision</u>	FMC affirms decision that OCEMA and 10 carriers violated the Shipping Act and orders respondents to cease and desist from unlawful practices.
Update	03/07/23		<u>Appeal</u>	OCEMA and 10 ocean carriers file appeal to reverse initial decision partially granting summary decision to IMCC.
Decision	02/06/23		<u>Decision</u>	FMC serves initial decision partially granting summary decision to IMCC.
Notice of Filing of Complaint and Assignment	08/28/20			<u>53369(85)</u>

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				the Shipping Act, including denying motor carriers chassis choice and charging unreasonable rates.
Meeting	01/12/24	FMC Announces Hearing on Shipping Conditions in the Red Sea Keywords: Federal Maritime Commission; Supply Chains	<u>Meeting</u>	FMC schedules informal hearing on 02/07/24 to examine how conditions in the Red Sea and Gulf of Aden are impacting commercial shipping and global supply chains.
Final Rule	01/02/24	Carrier Automated Tariffs 46 CFR Part 520 [Docket No. 21-03] RIN 3072-AC86 Keywords: Shipping Act	<u>25(89)</u>	FMC modifies its rules governing Carrier Automated Tariffs, effective 02/01/24.
Notice of Proposed Rulemaking	05/10/22		<u>27971(87)</u>	FMC proposes modifications to its rules governing Carrier Automated Tariffs.
Thirty-day notice; request for comments	11/09/23	[Docket No. FMC-2023-0013] Agency Information Collection Activities: 60-Day Public Comment Request Keywords: Federal Maritime Commission	<u>77320(88)</u>	FMC requests comments on the establishment of a web portal to collect complaints and investigation requests..
Sixty-day notice; request for comments	07/11/23		<u>44130(88)</u>	FMC requests comments on the establishment of a web portal to collect complaints and investigation requests.
Notice of Agreements Filed	08/30/23	South Atlantic Chassis Pool Agreement Keywords: Federal Maritime Commission (FMC)	<u>59920(88)</u>	South Atlantic Chassis Pool proposes adding four new members to the agreement.
Notice of Agreements Filed	06/22/23		<u>40824(88)</u>	South Atlantic Chassis Pool proposes to extend initial agreement term from 7 to 10 years.
Notice of Agreements Filed	07/13/22		<u>41718(87)</u>	The Georgia Ports Authority, Jacksonville Port Authority, North Carolina State Ports Authority, CCM, and OCEMA file agreement to form South Atlantic Chassis Pool 3.0.
Notice of Availability	07/26/23	Addressing Supply Chain Bottlenecks: Practices of Ocean Carriers and Marine Terminal Operators on Empty Container Return, Early Return Date, and Container Pickup Keywords: Ports	<u>Proposals</u>	Commissioner Dye proposes reforms for container return, ERD, and container pickup practices at certain ports.

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Notice of Request for Additional Information	07/05/23	World Shipping Council Agreement <i>Keywords: Federal Maritime Commission</i>	42941(88)	FMC requests additional information on amendment filed to World Shipping Council Agreement, preventing it from taking effect.
Notice of Agreements Filed	05/23/23		33146(88)	Amendment filed to World Shipping Council Agreement allowing members to set best practices for screening dangerous cargo.
Supplemental notice of proposed rulemaking	06/14/23	Definition of Unreasonable Refusal to Deal or Negotiate with Respect to Vessel Space Accommodations Provided by an Ocean Common Carrier [Docket No. 22-24] <i>Keywords: Federal Maritime Commission (FMC)</i>	38789(88)	FMC seeks comments on changes defining unreasonable refusal to deal or negotiate on vessel space accommodations made by an ocean common carrier.
Notice of Proposed Rulemaking	09/13/22		57674(87)	FMC seeks comments to define unreasonable refusal to deal or negotiate on vessel space accommodations made by an ocean common carrier.
Sixty-day notice; request for comments	05/24/23	[Docket No. FMC-2023-0012] Agency Information Collection Activities: 60-Day Public Comment Request <i>Keywords: Federal Maritime Commission</i>	33613(88)	FMC seeks comments on data collection on vessel-level tonnage and full and empty containers entering/leaving U.S. ports in international trade.
Update	10/03/22	Commission Contracts with National Academies for OSRA Mandated Chassis Study <i>Keywords: Federal Maritime Commission (FMC); Chassis</i>	Update	FMC announces contract with National Academies of Science to study chassis pools.
Report	03/30/22	Assessment of the People's Republic of China's Control of Container and Intermodal Chassis Manufacturing <i>Keywords: Chassis</i>	Report	Commissioner Bentzel issues findings from investigation into China's control of container and chassis manufacturing.