

Puerto Rico



Abandoned and Derelict Vessel (ADV) Legislative and Administrative Review - 2015

NOAA Marine Debris Region:
Caribbean



Definition of a Vessel

Puerto Rico law provides a definition for “vessel” and “boat” under Title 23, Navigation and Marine Trade (23 L.P.R.A. § 2103).

Vessel or Boat: shall mean any vehicle used for the transportation of persons or things on the water.

The territory’s Conservation laws, under Title 12, also include a definition for “vessel” or “ship” and a definition for “watercraft” (12 L.P.R.A. § 1401).

Ship or vessel: means any system of transportation on water that has a motor installed, including, but without being limited to jet skis, motorized rafts, power sailboats, motorboats, or boats of any sort, but excluding hydroplanes. This term also means those homemade vessels powered by a motor.

Watercraft: Means a mode of transportation that does not have a motor installed, such as rowboats, canoes, kayaks, sailboats with or without oars, water skis, surfboards with or without sails, rafts, inflatable systems, and any device that moves on the surface of the water without being propelled by a motor, although it could be fit for installation or adaptation of some type of motor.

Definition of an Abandoned and/or Derelict Vessel

Puerto Rico statutes do provide a definition for “abandonment” under the territory’s Conservation laws (12 L.P.R.A. § 1290(6)), but they do not have an official definition for “derelict” vessels.

Abandonment: means any ship, boat or vessel, land facility, deepwater port, pipe, oil pipeline or offshore facility which is abandoned or not in use, including those parties which would have been liable immediately before said ship, boat, vessel or facility was abandoned.

Formal State Program for Abandoned Vessels

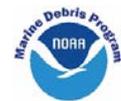
Puerto Rico statutes do not contain any provisions that address abandoned or derelict vessels and there is not a dedicated program in the territory that is focused on the removal and disposal of ADVs.

Designation of Abandoned and/or Derelict Vessels

There are not any laws that provide for the designation of abandoned or derelict vessels. If a vessel meets the definitions for “abandoned”, under 12 L.P.R.A. § 1290, then it is considered abandoned.

Responsibility for Removal of Abandoned or Derelict Vessels

Puerto Rico’s provisions, under both Navigation and Conservation, do not address ADVs or who is responsible for their removal or disposal.



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Removal and Disposal Requirements/Guidelines

The statutes of Puerto Rico do not outline any removal or disposal requirements for dealing with abandoned or derelict vessels.

Differences between Commercial and Recreational Vessel Treatment

Puerto Rico law does not make a distinction between commercial and recreational vessels relating to abandoned or derelict vessels.

Vessel Size Requirements or Limits

No size requirements or limits for ADVs are addressed under Puerto Rico's statutes.

Funding Sources

Puerto Rico does not have a dedicated funding source for dealing with abandoned or derelict vessels.

Lead State Agency

The Territory of Puerto Rico does not have laws that specifically address abandoned or derelict vessels, but the following boards/agencies manage the territory's environmental laws.

The Environmental Quality Board administers Puerto Rico's environmental laws, including oil and hazardous substance spills, under Title 12 Conservation of the territory's statutes.

Email: through website

Phone: 787-767-8056

Website: <http://www.jca.gobierno.pr/>

Puerto Rico's Department of Natural and Environmental Resources also has authority to deal with pollution and environmental protection.

Email: through website

Phone: 787-999-2200

Website: <http://www.drna.gobierno.pr/>

Insurance Requirements for Vessels

Puerto Rico law does not require vessel insurance.

Specific Location Factors, Limitations and Additional Information

There are no laws that outline specific location factors or limitations for abandoned or derelict vessels.

Prioritization Scheme

Puerto Rico does not have a prioritization scheme for removing and disposing of ADV.

Legislation and Administrative Codes

The laws and administrative codes referenced in this document can be accessed from:

Puerto Rico Code Unannotated (2015):

<http://www.lexisnexis.com/hottopics/lawsopuertorico/>

These Legislative and Administrative Reviews are intended for informational purposes only. They are summaries and not meant to be legal references, and should not be used as such. See the official state statutes and administrative codes for current state laws and rules and regulations for any legal references.