

## New Jersey's Quest for a Jones Act Waiver

FEBRUARY 20, 2014

It has been reported that the State of New Jersey requested on February 13, 2014 a waiver of the requirement to transport merchandise in the U.S. coastwise trade by a qualified U.S.-flag vessel (that requirement and others popularly referred to as the "Jones Act") in order to replenish its depleted supplies of road salt. Jones Act waivers are rarely granted and must be based on a determination that the waiver is "necessary in the interest of national defense." Customs and Border Protection has often indicated that a waiver will not be granted merely because a qualified vessel is unavailable or for commercial reasons. The U.S. Congress has also amended the waiver requirement in the last few years to require that, in addition, a waiver cannot be granted unless the U.S. Maritime Administration determines that there are no qualified U.S.-flag vessels available and has identified "actions that could be taken to enable qualified United States flag capacity to meet national defense requirements." MARAD's determinations must also be posted on its web site, which has not yet occurred.

1 Min Read

### Author

[Charlie Papavizas](#)

### Related Locations

Washington, DC

### Related Topics

Jones Act

Jones Act Waivers

MARAD

### Related Capabilities

Maritime & Admiralty

## Related Regions

North America

## Related Professionals

---



Charlie Papavizas

*This entry has been created for information and planning purposes. It is not intended to be, nor should it be substituted for, legal advice, which turns on specific facts.*