



DEPARTAMENTO DE ESTADO

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Aprobado: Hon. Kenneth D. McClintock
Secretario de Estado


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AMENDMENT I TO REGULATION NO. 8067

**REGULATION FOR IMPLEMENTING THE NECESSARY
MEANS TO GUARANTEE AN EFFICIENT FLOW OF
COMMERCIAL TRAFFIC IN THE SCANNING OF INBOUND
CARGO CONTAINERS, TO IMPROVE SECURITY AND
SAFETY AT THE PORT FACILITIES, AND/OR TO OTHERWISE
IMPLEMENT THE PUBLIC POLICY OF THE
COMMONWEALTH OF PUERTO RICO DELEGATED UPON
THE PORTS AUTHORITY**

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REGULATION FOR IMPLEMENTING THE NECESSARY MEANS TO GUARANTEE AN EFFICIENT FLOW OF COMMERCIAL TRAFFIC IN THE SCANNING OF INBOUND CARGO CONTAINERS, TO IMPROVE SECURITY AND SAFETY AT THE PORT FACILITIES, AND/OR TO OTHERWISE IMPLEMENT THE PUBLIC POLICY OF THE COMMONWEALTH OF PUERTO RICO DELEGATED UPON THE PORTS AUTHORITY

Article I of Regulation No. 8067 is hereby amended to read as follows:

ARTICLE I INTRODUCTION AND LEGAL GROUNDS

...

G. The fast track method selected by the Puerto Rico Ports Authority is a non-intrusive cargo scanning (imaging) system under which up to 100% of all Inbound Cargo Containers may be scanned. It is an effective method that seeks to maximize the safety and security of the ports of Puerto Rico, and which accommodates the Department of the Treasury's tax enforcement/collection goals, while preserving an efficient flow of commercial traffic. The inspection process of any foreign Inbound Cargo Containers or foreign cargo that arrives to the island of Puerto Rico will commence after U.S. Customs and Border Protection has completed its inspection process and released federal interests in the containers.

...

Article III of Regulation No. 8067 is hereby amended to read as follows:

ARTICLE III DEFINITIONS

...

12. Inbound Cargo Containers – any Inbound Cargo Container that arrives to the island of Puerto Rico from any foreign or domestic port and has been released by U.S. Customs and Border Protection.

Article IV of Regulation No. 8067 is hereby amended to read as follows:

ARTICLE IV GENERAL RULES

E. Notwithstanding anything else provided to the contrary in this Regulation, the Ports Authority reserves the faculty, at all times, to allow the inspection by scanning of:

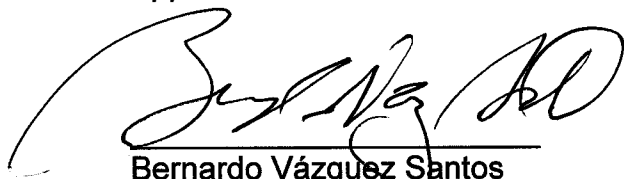
- (i) any Inbound Cargo Container subject to a court order from a court of competent jurisdiction requiring its inspection;
- (ii) any Inbound Cargo Container that there is just cause to require its inspection;
- (iii) any closed Inbound Cargo Container that the Department of the Treasury requires pursuant to statutory, regulatory and administrative powers

L. Nothing provided for in this Regulation is designed to interfere with the jurisdiction of the federal government to enforce federal law including, but not limited to, border security and international trade.

ARTICLE IX EFFECTIVENESS, REPEAL AND APPROVAL

This Amendment shall become effective immediately from its filing at the Department of State of Puerto Rico and the same amends Regulation No. 8067, enacted on September 11, 2011, and any other existing provision on this matter that is consistent and irreconcilable with the provisions herein established.

Approved in San Juan, Puerto Rico on April 18, 2012.



Bernardo Vázquez Santos
Executive Director