

Title 18. Crimes and Criminal Procedure ([Refs & Annos](#))

▣ [Part I.](#) Crimes ([Refs & Annos](#))

▣ [Chapter 1.](#) General Provisions ([Refs & Annos](#))

▣ **§ 13. Laws of States adopted for areas within Federal jurisdiction**

**(a)** Whoever within or upon any of the places now existing or hereafter reserved or acquired as provided in [section 7](#) of this title, or on, above, or below any portion of the territorial sea of the United States not within the jurisdiction of any State, Commonwealth, territory, possession, or district is guilty of any act or omission which, although not made punishable by any enactment of Congress, would be punishable if committed or omitted within the jurisdiction of the State, Territory, Possession, or District in which such place is situated, by the laws thereof in force at the time of such act or omission, shall be guilty of a like offense and subject to a like punishment.

**(b)(1)** Subject to paragraph (2) and for purposes of subsection (a) of this section, that which may or shall be imposed through judicial or administrative action under the law of a State, territory, possession, or district, for a conviction for operating a motor vehicle under the influence of a drug or alcohol, shall be considered to be a punishment provided by that law. Any limitation on the right or privilege to operate a motor vehicle imposed under this subsection shall apply only to the special maritime and territorial jurisdiction of the United States.

**(2)(A)** In addition to any term of imprisonment provided for operating a motor vehicle under the influence of a drug or alcohol imposed under the law of a State, territory, possession, or district, the punishment for such an offense under this section shall include an additional term of imprisonment of not more than 1 year, or if serious bodily injury of a minor is caused, not more than 5 years, or if death of a minor is caused, not more than 10 years, and an additional fine under this title, or both, if--

**(i)** a minor (other than the offender) was present in the motor vehicle when the offense was committed; and

**(ii)** the law of the State, territory, possession, or district in which the offense occurred does not provide an additional term of imprisonment under the circumstances described in clause (i).

**(B)** For the purposes of subparagraph (A), the term "minor" means a person less than 18 years of age.

**(c)** Whenever any waters of the territorial sea of the United States lie outside the territory of any State, Commonwealth, territory, possession, or district, such waters (including the airspace above and the seabed and subsoil below, and artificial islands and fixed structures erected thereon) shall be deemed, for purposes of subsection (a), to lie within the area of the State, Commonwealth, territory, possession, or district that it would lie within if the boundaries of such State, Commonwealth, territory, possession, or district were extended seaward to the outer limit of the territorial sea of the United States.

CREDIT(S)

(June 25, 1948, c. 645, 62 Stat. 686; Nov. 18, 1988, [Pub.L. 100-690, Title VI, § 6477\(a\)](#), 102 Stat. 4381; Sept. 13, 1994, [Pub.L. 103-322, Title X, § 100002](#), 108 Stat. 1996; Apr. 24, 1996, [Pub.L. 104-132, Title IX, § 901\(b\)](#), 110 Stat. 1317; Oct. 11, 1996, [Pub.L. 104-294, Title VI, § 604\(b\)\(32\)](#), 110 Stat. 3508.)