

any other sentence and irrespective of any provision of State law, that the person forfeit to the United States—

(A) any property constituting, or derived from, any proceeds that the person obtained, directly or indirectly, as a result of the offense; and

(B) any property used, or intended to be used in any manner, to commit or facilitate the commission of the offense, if the court in its discretion so determines, taking into consideration the nature, scope, and proportionality of the use of the property on the offense.

(2) APPLICATION OF OTHER LAW.—The forfeiture of property under this section, including any seizure and disposition of the property, and any proceedings relating to the property, shall be governed by section 413 of the Comprehensive Drug Abuse and Prevention Act of 1970 (21 U.S.C. 853) (not including subsection (d) of that section).

(e) CONSTRUCTION WITH OTHER LAW.—This section does not preempt or displace any other remedy, civil or criminal, provided by Federal or State law for the fraudulent importation, sale, trade, installation, or introduction into commerce of an aircraft or space vehicle part.

(f) TERRITORIAL SCOPE.—This section also applies to conduct occurring outside the United States if—

(1) the offender is a natural person who is a citizen or permanent resident alien of the United States, or an organization organized under the laws of the United States or political subdivision thereof;

(2) the aircraft or spacecraft part as to which the violation relates was installed in an aircraft or space vehicle owned or operated at the time of the offense by a citizen or permanent resident alien of the United States, or by an organization thereof; or

(3) an act in furtherance of the offense was committed in the United States.

(Added Pub. L. 106-181, title V, §506(c)(1), Apr. 5, 2000, 114 Stat. 137.)

#### EFFECTIVE DATE

Section applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as an Effective Date of 2000 Amendments note under section 106 of Title 49, Transportation.

### § 39. Traffic signal preemption transmitters

(a) OFFENSES.—

(1) SALE.—Whoever, in or affecting interstate or foreign commerce, knowingly sells a traffic signal preemption transmitter to a nonqualifying user shall be fined under this title, or imprisoned not more than 1 year, or both.

(2) USE.—Whoever, in or affecting interstate or foreign commerce, being a nonqualifying user makes unauthorized use of a traffic signal preemption transmitter shall be fined under this title, or imprisoned not more than 6 months, or both.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) TRAFFIC SIGNAL PREEMPTION TRANSMITTER.—The term “traffic signal preemption transmitter” means any mechanism that can change or alter a traffic signal’s phase time or sequence.

(2) NONQUALIFYING USER.—The term “nonqualifying user” means a person who uses a traffic signal preemption transmitter and is not acting on behalf of a public agency or private corporation authorized by law to provide fire protection, law enforcement, emergency medical services, transit services, maintenance, or other services for a Federal, State, or local government entity, but does not include a person using a traffic signal preemption transmitter for classroom or instructional purposes.

(Added Pub. L. 109-59, title II, §2018(a), Aug. 10, 2005, 119 Stat. 1542.)

#### CODIFICATION

Another section 39 was renumbered section 40 of this title.

### § 40. Commercial motor vehicles required to stop for inspections

(a) A driver of a commercial motor vehicle (as defined in section 31132 of title 49) shall stop and submit to inspection of the vehicle, driver, cargo, and required records when directed to do so by an authorized employee of the Federal Motor Carrier Safety Administration of the Department of Transportation, at or in the vicinity of an inspection site. The driver shall not leave the inspection site until authorized to do so by an authorized employee.

(b) A driver of a commercial motor vehicle, as defined in subsection (a), who knowingly fails to stop for inspection when directed to do so by an authorized employee of the Administration at or in the vicinity of an inspection site, or leaves the inspection site without authorization, shall be fined under this title or imprisoned not more than 1 year, or both.

(Added Pub. L. 109-59, title IV, §4143(a), Aug. 10, 2005, 119 Stat. 1747, §39; renumbered §40, Pub. L. 110-244, title III, §301(j), June 6, 2008, 122 Stat. 1616.)

#### AMENDMENTS

2008—Pub. L. 110-244 renumbered section 39 of this title, relating to inspection of commercial vehicles, as this section.

### CHAPTER 3—ANIMALS, BIRDS, FISH, AND PLANTS

Sec.	
41.	Hunting, fishing, trapping; disturbance or injury on wildlife refuges.
42.	Importation or shipment of injurious mammals, birds, fish (including mollusks and crustacea), amphibia, and reptiles; permits, specimens for museums; regulations.
43.	Force, violence, and threats involving animal enterprises.
[44, 45.]	Repealed.]
46.	Transportation of water hyacinths.
47.	Use of aircraft or motor vehicles to hunt certain wild horses or burros; pollution of watering holes.
48.	Animal crush videos.
49.	Enforcement of animal fighting prohibitions.