

tor of the System. The report shall contain an inventory of all junk automobiles or salvage automobiles obtained by the junk yard or salvage yard during the prior month. The inventory shall contain—

(A) the vehicle identification number of each automobile obtained;

(B) the date on which the automobile was obtained;

(C) the name of the individual or entity from whom the automobile was obtained; and

(D) a statement of whether the automobile was crushed or disposed of for sale or other purposes.

(2) Paragraph (1) of this subsection does not apply to an individual or entity—

(A) required by State law to report the acquisition of junk automobiles or salvage automobiles to State or local authorities if those authorities make that information available to the operator; or

(B) issued a verification under section 33110 of this title stating that the automobile or parts from the automobile are not reported as stolen.

(b) **INSURANCE CARRIERS.**—Beginning at a time established by the Attorney General that is not sooner than the 3d month before the establishment or designation of the System, an individual or entity engaged in business as an insurance carrier shall file a monthly report with the operator. The report may be filed directly or through a designated agent. The report shall contain an inventory of all automobiles of the current model year or any of the 4 prior model years that the carrier, during the prior month, has obtained possession of and has decided are junk automobiles or salvage automobiles. The inventory shall contain—

(1) the vehicle identification number of each automobile obtained;

(2) the date on which the automobile was obtained;

(3) the name of the individual or entity from whom the automobile was obtained; and

(4) the name of the owner of the automobile at the time of the filing of the report.

(c) **PROCEDURES AND PRACTICES.**—The Attorney General shall establish by regulation procedures and practices to facilitate reporting in the least burdensome and costly fashion.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 982; Pub. L. 104-152, §§2(c), 3(a), July 2, 1996, 110 Stat. 1384; Pub. L. 105-102, §3(b), Nov. 20, 1997, 111 Stat. 2215.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30504(a) .....	15:2044(a).	Oct. 25, 1992, Pub. L. 102-519, §204(a), (b), (d), 106 Stat. 3392, 3393.
30504(b) .....	15:2044(b).	
30504(c) .....	15:2044(d).	

In subsections (a)(1), before clause (A), the words “Beginning at a time established by the Secretary of Transportation that is not sooner than the 3d month before the establishment or designation of” are substituted for “Beginning at a time determined by the Secretary, but no earlier than 3 months prior to the es-

tablishment of” for clarity and consistency with the source provisions restated in section 30502 of the revised title. The words “engaged in the business” are substituted for “in the business” for consistency in the revised chapter. The words “junk yard or salvage yard” are substituted for “automobile junk yard or automobile salvage yard” because of the definitions of “junk yard” and “salvage yard” in section 30501 of the revised title. The words “with the operator of the System” are substituted for “with the operator” for clarity. In clauses (A), (C), and (D), the words “each automobile” are substituted for “each vehicle”, and the words “the automobile” are substituted for “the vehicle”, for consistency in the revised title.

In subsection (a)(2)(B), the word “automobile” is substituted for “vehicle” for consistency in the revised title.

In subsections (b), before clause (1), the words “Beginning at a time established by the Secretary that is not sooner than the 3d month before the establishment or designation of” are substituted for “Beginning at a time determined by the Secretary, but no earlier than 3 months prior to the establishment of” for clarity and consistency with the source provisions restated in section 30502 of the revised title. In clauses (1), (3), and (4), the words “each automobile” are substituted for “each vehicle”, and the words “the automobile” are substituted for “the vehicle”, for consistency in the revised title.

#### AMENDMENTS

1997—Subsec. (a)(1). Pub. L. 105-102 amended directory language of Pub. L. 104-152, §2(c). See 1996 Amendment note below.

1996—Subsec. (a)(1). Pub. L. 104-152, §3(a), substituted “Attorney General” for “Secretary of Transportation”.

Pub. L. 104-152, §2(c), as amended by Pub. L. 105-102, substituted “National Motor Vehicle Title Information System” for “National Automobile Title Information System”.

Subsecs. (b), (c). Pub. L. 104-152, §3(a), substituted “Attorney General” for “Secretary”.

#### EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105-102, §3(b), Nov. 20, 1997, 111 Stat. 2215, provided that the amendment made by section 3(b) is effective July 2, 1996.

Amendment by Pub. L. 105-102 effective as if included in the provisions of the Act to which the amendment relates, see section 3(f) of Pub. L. 105-102, set out as a note under section 106 of this title.

#### § 30505. Penalties and enforcement

(a) **PENALTY.**—An individual or entity violating this chapter is liable to the United States Government for a civil penalty of not more than \$1,000 for each violation.

(b) **COLLECTION AND COMPROMISE.**—(1) The Attorney General shall impose a civil penalty under this section. The Attorney General shall bring a civil action to collect the penalty. The Attorney General may compromise the amount of the penalty. In determining the amount of the penalty or compromise, the Attorney General shall consider the appropriateness of the penalty to the size of the business of the individual or entity charged and the gravity of the violation.

(2) The Government may deduct the amount of a civil penalty imposed or compromised under this section from amounts it owes the individual or entity liable for the penalty.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 983; Pub. L. 104-152, §3(a), July 2, 1996, 110 Stat. 1384.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30505 .....	15:2044(c).	Oct. 25, 1992, Pub. L. 102-519, § 204(c), 106 Stat. 3393.

In subsection (a), the words “An individual or entity violating this chapter is liable to the United States Government for a civil penalty of” are substituted for “Whoever violates this section may be assessed a civil penalty of not to exceed” for clarity and consistency in the revised title and with other titles of the United States Code.

In subsection (b), the words “individual or entity” are substituted for “person” for clarity and consistency with the source provisions restated in the revised chapter.

In subsection (b)(1), the words “The Secretary of Transportation shall impose a civil penalty under this section. The Attorney General shall bring a civil action to collect the penalty” are substituted for “Any such penalty shall be assessed by the Secretary and collected in a civil action brought by the Attorney General of the United States” for clarity and consistency in the revised title and with other titles of the Code.

In subsection (b)(2), the words “penalty imposed or compromised” are substituted for “such penalty, finally determined, or the amount agreed upon in compromise”, and the words “liable for the penalty” are substituted for “charged”, for clarity and consistency in the revised title and other titles of the Code.

AMENDMENTS

1996—Subsec. (b)(1). Pub. L. 104-152 substituted “Attorney General shall impose” for “Secretary of Transportation shall impose”, “Attorney General may compromise” for “Secretary may compromise”, and “Attorney General shall consider” for “Secretary shall consider”.

PART B—COMMERCIAL

CHAPTER 311—COMMERCIAL MOTOR VEHICLE SAFETY

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- 31111. Length limitations.
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- 31131. Purposes and findings.
- 31132. Definitions.
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- [31134. Repealed.]
- 31135. Duties of employers and employees.
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- 31137. Monitoring device and brake maintenance regulations.

- Sec.
- 31138. Minimum financial responsibility for transporting passengers.
- 31139. Minimum financial responsibility for transporting property.
- [31140. Repealed.]
- 31141. Review and preemption of State laws and regulations.
- 31142. Inspection of vehicles.
- 31143. Investigating complaints and protecting complainants.
- 31144. Safety fitness of owners and operators.
- 31145. Coordination of Governmental activities and paperwork.
- 31146. Relationship to other laws.
- 31147. Limitations on authority.
- 31148. Certified motor carrier safety auditors.
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- 31150. Safety performance history screening.
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SUBCHAPTER IV—MISCELLANEOUS

- 31161. International cooperation.

AMENDMENTS

2005—Pub. L. 109-59, title IV, §§4109(b)(2), 4110(b), 4111(b), 4116(e), 4117(b), 4118(b), 4119(b), Aug. 10, 2005, 119 Stat. 1721, 1722, 1724, 1728, 1729, 1732, 1733, substituted “GENERAL AUTHORITY AND STATE GRANTS” for “STATE GRANTS AND OTHER COMMERCIAL MOTOR VEHICLE PROGRAMS” in subchapter I heading, “Border enforcement grants” for “Contract authority funding for information systems” in item 31107, and “Motor carrier research and technology program” for “Authorization of appropriations” in item 31108 and added items 31109 and 31149 to 31151, subchapter IV heading, and item 31161.

1999—Pub. L. 106-159, title II, §211(b), Dec. 9, 1999, 113 Stat. 1766, added item 31148.

1998—Pub. L. 105-178, title IV, §§4002(b), 4004(d), 4008(c), (d), 4010, June 9, 1998, 112 Stat. 395, 400, 404, 407, inserted “AND OTHER COMMERCIAL MOTOR VEHICLE PROGRAMS” after “GRANTS” in subchapter I heading, added item 31100, substituted “Information systems” for “Commercial motor vehicle information system program” in item 31106 and “Contract authority funding for information systems” for “Truck and bus accident grant program” in item 31107, struck out items 31134 “Commercial Motor Vehicle Safety Regulatory Review Panel” and 31140 “Submission of State laws and regulations for review”, subchapter IV heading “MISCELLANEOUS”, and items 31161 “Procedures to ensure timely correction of safety violations” and 31162 “Compliance review priority”.

SUBCHAPTER I—GENERAL AUTHORITY AND STATE GRANTS

AMENDMENTS

2005—Pub. L. 109-59, title IV, §4110(a)(1), Aug. 10, 2005, 119 Stat. 1721, substituted “GENERAL AUTHORITY AND STATE GRANTS” for “STATE GRANTS AND OTHER COMMERCIAL MOTOR VEHICLE PROGRAMS” in subchapter heading.

1998—Pub. L. 105-178, title IV, §4004(c), June 9, 1998, 112 Stat. 400, inserted “AND OTHER COMMERCIAL MOTOR VEHICLE PROGRAMS” after “GRANTS” in subchapter heading.

§ 31100. Purpose

The purpose of this subchapter is to ensure that the Secretary, States, and other political jurisdictions work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient transportation system by—

- (1) focusing resources on strategic safety investments to promote safe for-hire and private