

§ 553. Importation or exportation of stolen motor vehicles, off-highway mobile equipment, vessels, or aircraft

(a) Whoever knowingly imports, exports, or attempts to import or export—

(1) any motor vehicle, off-highway mobile equipment, vessel, aircraft, or part of any motor vehicle, off-highway mobile equipment, vessel, or aircraft, knowing the same to have been stolen; or

(2) any motor vehicle or off-highway mobile equipment or part of any motor vehicle or off-highway mobile equipment, knowing that the identification number of such motor vehicle, equipment, or part has been removed, obliterated, tampered with, or altered;

shall be fined under this title or imprisoned not more than 10 years, or both.

(b) Subsection (a)(2) shall not apply if the removal, obliteration, tampering, or alteration—

(1) is caused by collision or fire; or

(2)(A) in the case of a motor vehicle, is not a violation of section 511 of this title (relating to altering or removing motor vehicle identification numbers); or

(B) in the case of off-highway mobile equipment, would not be a violation of section 511 of this title if such equipment were a motor vehicle.

(c) As used in this section, the term—

(1) “motor vehicle” has the meaning given that term in section 32101 of title 49;

(2) “off-highway mobile equipment” means any self-propelled agricultural equipment, self-propelled construction equipment, and self-propelled special use equipment, used or designed for running on land but not on rail or highway;

(3) “vessel” has the meaning given that term in section 401 of the Tariff Act of 1930 (19 U.S.C. 1401);

(4) “aircraft” has the meaning given that term in section 40102(a) of title 49; and

(5) “identification number”—

(A) in the case of a motor vehicle, has the meaning given that term in section 511 of this title; and

(B) in the case of any other vehicle or equipment covered by this section, means a number or symbol assigned to the vehicle or equipment, or part thereof, by the manufacturer primarily for the purpose of identifying such vehicle, equipment, or part.

(Added Pub. L. 98-547, title III, §301(a), Oct. 25, 1984, 98 Stat. 2771; amended Pub. L. 100-690, title VII, §7021, Nov. 18, 1988, 102 Stat. 4396; Pub. L. 102-519, title I, §102, Oct. 25, 1992, 106 Stat. 3385; Pub. L. 103-272, §5(e)(5), July 5, 1994, 108 Stat. 1374.)

AMENDMENTS

1994—Subsec. (c)(1). Pub. L. 103-272, §5(e)(5)(A), substituted “section 32101 of title 49” for “section 2 of the Motor Vehicle Information and Cost Savings Act”.

Subsec. (c)(4). Pub. L. 103-272, §5(e)(5)(B), substituted “section 40102(a) of title 49” for “section 101 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1301)”.

1992—Subsec. (a). Pub. L. 102-519 substituted “fined under this title or imprisoned not more than 10 years” for “fined not more than \$15,000 or imprisoned not more than five years” in concluding provisions.

1988—Subsec. (b)(2). Pub. L. 100-690 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “is not a violation of section 511 of this title.”

§ 554. Smuggling goods from the United States

(a) IN GENERAL.—Whoever fraudulently or knowingly exports or sends from the United States, or attempts to export or send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States, shall be fined under this title, imprisoned not more than 10 years, or both.

(b) DEFINITION.—In this section, the term “United States” has the meaning given that term in section 545.

(Added Pub. L. 109-177, title III, §311(a), Mar. 9, 2006, 120 Stat. 242.)

CODIFICATION

Another section 554 was renumbered section 555 of this title.

§ 555. Border tunnels and passages

(a) Any person who knowingly constructs or finances the construction of a tunnel or subterranean passage that crosses the international border between the United States and another country, other than a lawfully authorized tunnel or passage known to the Secretary of Homeland Security and subject to inspection by Immigration and Customs Enforcement, shall be fined under this title and imprisoned for not more than 20 years.

(b) Any person who knows or recklessly disregards the construction or use of a tunnel or passage described in subsection (a) on land that the person owns or controls shall be fined under this title and imprisoned for not more than 10 years.

(c) Any person who uses a tunnel or passage described in subsection (a) to unlawfully smuggle an alien, goods (in violation of section 545), controlled substances, weapons of mass destruction (including biological weapons), or a member of a terrorist organization (as defined in section 2339B(g)(6)) shall be subject to a maximum term of imprisonment that is twice the maximum term of imprisonment that would have otherwise been applicable had the unlawful activity not made use of such a tunnel or passage.

(d) Any person who attempts or conspires to commit any offense under subsection (a) or subsection (c) of this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

(Added Pub. L. 109-295, title V, §551(a), Oct. 4, 2006, 120 Stat. 1389, §554; renumbered §555, Pub. L. 110-161, div. E, title V, §553(a)(1), Dec. 26, 2007, 121 Stat. 2082; amended Pub. L. 112-127, §3, June 5, 2012, 126 Stat. 371.)

AMENDMENTS

2012—Pub. L. 112-127 added subsec. (d).