

(1) inspect and examine the lands, buildings, and equipment of a pipeline carrier or lessor; and

(2) inspect and copy any record of—

(A) a pipeline carrier, lessor, or association; and

(B) a person controlling, controlled by, or under common control with a pipeline carrier if the Board considers inspection relevant to that person's relation to, or transaction with, that carrier.

(c) **PRESERVATION PERIOD.**—The Board may prescribe the time period during which operating, accounting, and financial records must be preserved by pipeline carriers and lessors.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 926.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11144 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

§ 15723. Reports by carriers, lessors, and associations

(a) **FILING OF REPORTS.**—The Board may require pipeline carriers, lessors, and associations, or classes of them as the Board may prescribe, to file annual, periodic, and special reports with the Board containing answers to questions asked by it.

(b) **UNDER OATH.**—Any report under this section shall be made under oath.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 926.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11145 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

CHAPTER 159—ENFORCEMENT: INVESTIGATIONS, RIGHTS, AND REMEDIES

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AMENDMENTS

1998—Pub. L. 105-225, §7(d), Aug. 12, 1998, 112 Stat. 1512, made technical amendment to directory language of Pub. L. 104-287, §5(45)(A), effective Oct. 11, 1996. See 1996 Amendment note below.

1997—Pub. L. 105-102, §3(d)(1)(A), Nov. 20, 1997, 111 Stat. 2215, which directed technical correction of directory language of Pub. L. 104-287, §5(45)(A), by substituting "ENFORCEMENT:" for "ENFORCEMENT," could not be executed because "ENFORCEMENT," does not appear in section 5(45)(A).

Pub. L. 105-102, §2(14), Nov. 20, 1997, 111 Stat. 2205, substituted "pipeline" for "certain" in item 15904.

1996—Pub. L. 104-287, §5(45)(B), Oct. 11, 1996, 110 Stat. 3393, struck out item 15907 "Liability when property is delivered in violation of routing instructions".

Pub. L. 104-287, §5(45)(A), Oct. 11, 1996, 110 Stat. 3393, as amended by Pub. L. 105-225, struck out duplicative chapter heading.

§ 15901. General authority

(a) **INVESTIGATION; COMPLIANCE ORDER.**—Except as otherwise provided in this part, the Board may begin an investigation under this part only on complaint. If the Board finds that a pipeline carrier is violating this part, the Board shall take appropriate action to compel compliance with this part. The Board shall provide the carrier notice of the investigation and an opportunity for a proceeding.

(b) **COMPLAINT.**—A person, including a governmental authority, may file with the Board a complaint about a violation of this part by a pipeline carrier providing transportation or service subject to this part. The complaint must state the facts that are the subject of the violation. The Board may dismiss a complaint it determines does not state reasonable grounds for investigation and action. However, the Board may not dismiss a complaint made against a pipeline carrier providing transportation subject to this part because of the absence of direct damage to the complainant.

(c) **AUTOMATIC DISMISSAL.**—A formal investigative proceeding begun by the Board under subsection (a) is dismissed automatically unless it is concluded by the Board with administrative finality by the end of the 3d year after the date on which it was begun.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 926.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11701 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

EFFECTIVE DATE

Chapter effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 701 of this title.

§ 15902. Enforcement by the Board

The Board may bring a civil action to enforce an order of the Board, except a civil action to enforce an order for the payment of money, when it is violated by a pipeline carrier providing transportation subject to this part.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 927.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11702 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

§ 15903. Enforcement by the Attorney General

(a) **ON BEHALF OF BOARD.**—The Attorney General may, and on request of the Board shall, bring court proceedings to enforce this part or a regulation or order of the Board and to prosecute a person violating this part or a regulation or order of the Board issued under this part.

(b) **ON BEHALF OF OTHERS.**—The United States Government may bring a civil action on behalf of a person to compel a pipeline carrier providing transportation or service subject to this part to provide that transportation or service to that person in compliance with this part at the same rate charged, or on conditions as favorable as