

EFFECTIVE DATE

Section effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

§ 6311. Research and development grants

The Secretary may make grants to, or enter into cooperative agreements or contracts with, public and nonprofit private entities (including State transportation departments, metropolitan planning organizations, and institutions of higher education) for—

- (1) investigation of the subjects described in section 6302(b)(3)(B)(vi);
(2) research and development of new methods of data collection, standardization, management, integration, dissemination, interpretation, and analysis;
(3) demonstration programs by States, local governments, and metropolitan planning organizations to coordinate data collection, reporting, management, storage, and archiving to simplify data comparisons across jurisdictions;
(4) development of electronic clearinghouses of transportation data and related information, as part of the Library; and
(5) development and improvement of methods for sharing geographic data, in support of the database under section 6310<sup>1</sup> and the National Spatial Data Infrastructure developed under Executive Order 12906 (59 Fed. Reg. 17671) (or a successor Executive Order).

(Added Pub. L. 112-141, div. E, title II, § 52011(a), July 6, 2012, 126 Stat. 894.)

REFERENCES IN TEXT

Executive Order 12906, referred to in par. (5), is Ex. Ord. No. 12906, Apr. 11, 1994, 59 F.R. 17671, which is set out as a note under section 1457 of Title 43, Public Lands.

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§ 6312. Transportation statistics annual report

The Director shall submit to the President and Congress a transportation statistics annual report, which shall include—

- (1) information on the progress of the Director in carrying out the duties described in section 6302(b)(3)(B);
(2) documentation of the methods used to obtain and ensure the quality of the statistics presented in the report; and
(3) any recommendations of the Director for improving transportation statistical information.

(Added Pub. L. 112-141, div. E, title II, § 52011(a), July 6, 2012, 126 Stat. 894.)

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<sup>1</sup> So in original. Probably should be "section 6309".

§ 6313. Mandatory response authority for freight data collection

(a) FREIGHT DATA COLLECTION.—

(1) IN GENERAL.—An owner, official, agent, person in charge, or assistant to the person in charge of a freight corporation, company, business, institution, establishment, or organization described in paragraph (2) shall be fined in accordance with subsection (b) if that individual neglects or refuses, when requested by the Director or other authorized officer, employee, or contractor of the Bureau to submit data under section 6302(b)(3)(B)—

(A) to answer completely and correctly to the best knowledge of that individual all questions relating to the corporation, company, business, institution, establishment, or other organization; or

(B) to make available records or statistics in the official custody of the individual.

(2) DESCRIPTION OF ENTITIES.—A freight corporation, company, business, institution, establishment, or organization referred to in paragraph (1) is a corporation, company, business, institution, establishment, or organization that—

(A) receives Federal funds relating to the freight program; and

(B) has consented to be subject to a fine under this subsection on—

(i) refusal to supply any data requested; or

(ii) failure to respond to a written request.

(b) FINES.—

(1) IN GENERAL.—Subject to paragraph (2), an individual described in subsection (a) shall be fined not more than \$500.

(2) WILLFUL ACTIONS.—If an individual willfully gives a false answer to a question described in subsection (a)(1), the individual shall be fined not more than \$10,000.

(Added Pub. L. 112-141, div. E, title II, § 52011(a), July 6, 2012, 126 Stat. 895.)

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SUBTITLE IV—INTERSTATE TRANSPORTATION

PART A—RAIL

Chapter Sec.
101. GENERAL PROVISIONS ..... 10101
105. JURISDICTION ..... 10501
107. RATES ..... 10701
109. LICENSING ..... 10901
111. OPERATIONS ..... 11101
113. FINANCE ..... 11301
115. FEDERAL-STATE RELATIONS ..... 11501
117. ENFORCEMENT: INVESTIGATIONS, RIGHTS, AND REMEDIES ..... 11701
119. CIVIL AND CRIMINAL PENALTIES ..... 11901

PART B—MOTOR CARRIERS, WATER CARRIERS,  
BROKERS, AND FREIGHT FORWARDERS

Chapter	Sec.
<b>131. GENERAL PROVISIONS .....</b>	<b>13101</b>
<b>133. ADMINISTRATIVE PROVISIONS ...</b>	<b>13301</b>
<b>135. JURISDICTION .....</b>	<b>13501</b>
<b>137. RATES AND THROUGH ROUTES ..</b>	<b>13701</b>
<b>139. REGISTRATION .....</b>	<b>13901</b>
<b>141. OPERATIONS OF CARRIERS .....</b>	<b>14101</b>
<b>143. FINANCE .....</b>	<b>14301</b>
<b>145. FEDERAL-STATE RELATIONS .....</b>	<b>14501</b>
<b>147. ENFORCEMENT; INVESTIGATIONS; RIGHTS; REMEDIES .....</b>	<b>14701</b>
<b>149. CIVIL AND CRIMINAL PENALTIES .....</b>	<b>14901</b>

PART C—PIPELINE CARRIERS

Chapter	Sec.
<b>151. GENERAL PROVISIONS .....</b>	<b>15101</b>
<b>153. JURISDICTION .....</b>	<b>15301</b>
<b>155. RATES .....</b>	<b>15501</b>
<b>157. OPERATIONS OF CARRIERS .....</b>	<b>15701</b>
<b>159. ENFORCEMENT; INVESTIGATIONS; RIGHTS, AND REMEDIES .....</b>	<b>15901</b>
<b>161. CIVIL AND CRIMINAL PENALTIES .....</b>	<b>16101</b>

PRIOR PROVISIONS

A prior subtitle IV, consisting of chapters 101 to 119, related to interstate commerce, prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

AMENDMENTS

1997—Pub. L. 105-102, §2(5), Nov. 20, 1997, 111 Stat. 2204, struck out “AND TARIFFS” after “RATES” in item for chapter 155.

PART A—RAIL

**CHAPTER 101—GENERAL PROVISIONS**

Sec.	
10101.	Rail transportation policy.
10102.	Definitions.

**§ 10101. Rail transportation policy**

In regulating the railroad industry, it is the policy of the United States Government—

- (1) to allow, to the maximum extent possible, competition and the demand for services to establish reasonable rates for transportation by rail;
- (2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required;
- (3) to promote a safe and efficient rail transportation system by allowing rail carriers to earn adequate revenues, as determined by the Board;
- (4) to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public and the national defense;
- (5) to foster sound economic conditions in transportation and to ensure effective competition and coordination between rail carriers and other modes;
- (6) to maintain reasonable rates where there is an absence of effective competition and where rail rates provide revenues which exceed

the amount necessary to maintain the rail system and to attract capital;

- (7) to reduce regulatory barriers to entry into and exit from the industry;
- (8) to operate transportation facilities and equipment without detriment to the public health and safety;
- (9) to encourage honest and efficient management of railroads;
- (10) to require rail carriers, to the maximum extent practicable, to rely on individual rate increases, and to limit the use of increases of general applicability;
- (11) to encourage fair wages and safe and suitable working conditions in the railroad industry;
- (12) to prohibit predatory pricing and practices, to avoid undue concentrations of market power, and to prohibit unlawful discrimination;
- (13) to ensure the availability of accurate cost information in regulatory proceedings, while minimizing the burden on rail carriers of developing and maintaining the capability of providing such information;
- (14) to encourage and promote energy conservation; and
- (15) to provide for the expeditious handling and resolution of all proceedings required or permitted to be brought under this part.

(Added Pub. L. 104-88, title I, §102(a), Dec. 29, 1995, 109 Stat. 805.)

PRIOR PROVISIONS

Prior sections 10101 and 10101a were omitted in the general amendment of this subtitle by Pub. L. 104-88, §102(a).

Section 10101, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1337; Pub. L. 96-296, §4, July 1, 1980, 94 Stat. 793; Pub. L. 96-448, title I, §101(b), Oct. 14, 1980, 94 Stat. 1898; Pub. L. 97-261, §5, Sept. 20, 1982, 96 Stat. 1103; Pub. L. 103-311, title II, §204, Aug. 26, 1994, 108 Stat. 1683, related to transportation policy. See sections 13101 and 15101 of this title.

Section 10101a, added Pub. L. 96-448, title I, §101(a), Oct. 14, 1980, 94 Stat. 1897, related to rail transportation policy.

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.

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-432, div. A, title VI, §601, Oct. 16, 2008, 122 Stat. 4900, provided that: “This title [enacting sections 10908 to 10910 of this title and amending section 10501 of this title] may be cited as the ‘Clean Railroads Act of 2008.’”

Pub. L. 110-291, §1, July 30, 2008, 122 Stat. 2915, provided that: “This Act [amending sections 13102, 13902, and 13905 of this title and enacting provisions set out as notes under section 13902 of this title] may be cited as the ‘Over-the-Road Bus Transportation Accessibility Act of 2007.’”

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-59, title IV, §4201, Aug. 10, 2005, 119 Stat. 1751, provided that: “This subtitle [subtitle B (§§4201-4216) of title IV of Pub. L. 109-59, enacting sections 14710, 14711, and 14915 of this title, amending sections 13102, 13707, 13902, 14104, 14501, 14706, 14708, and 14901 of this title, and enacting provisions set out as notes under sections 13102, 14701, 14706, and 14710 of this