

an officer, agent, or employee of that carrier, or another person authorized to receive information from that carrier, that knowingly discloses to another person, except the shipper or consignee, or a person who solicits or knowingly receives information about the nature, kind, quantity, destination, consignee, or routing of property tendered or delivered to that carrier for transportation provided under this part without the consent of the shipper or consignee, if that information may be used to the detriment of the shipper or consignee or may disclose improperly, to a competitor the business transactions of the shipper or consignee, is liable to the United States for a civil penalty of not more than \$1,000.

(b) LIMITATION ON STATUTORY CONSTRUCTION.—This part does not prevent a pipeline carrier providing transportation under this part from giving information—

(1) in response to legal process issued under authority of a court of the United States or a State;

(2) to an officer, employee, or agent of the United States Government, a State, or a territory or possession of the United States; or

(3) to another carrier or its agent to adjust mutual traffic accounts in the ordinary course of business.

(c) BOARD EMPLOYEE.—An employee of the Board delegated to make an inspection or examination under section 15722 who knowingly discloses information acquired during that inspection or examination, except as directed by the Board, a court, or a judge of that court, shall be fined under title 18 or imprisoned for not more than 6 months, or both.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11910 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

§ 16104. Disobedience to subpoenas

Whoever does not obey a subpoena or requirement of the Board to appear and testify or produce records shall be fined under title 18 or imprisoned not more than 1 year, or both.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11913 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

§ 16105. General criminal penalty when specific penalty not provided

When another criminal penalty is not provided under this chapter, a pipeline carrier providing transportation subject to this part, and when that carrier is a corporation, a director or officer of the corporation, or a receiver, trustee, lessee, or person acting for or employed by the corporation that, alone or with another person, willfully violates this part or an order prescribed under this part, shall be fined under title 18 or imprisoned not more than 2 years, or both.

A separate violation occurs each day a violation of this part continues.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11914 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

§ 16106. Punishment of corporation for violations committed by certain individuals

An act or omission that would be a violation of this subtitle if committed by a director, officer, receiver, trustee, lessee, agent, or employee of a pipeline carrier providing transportation or service subject to this part that is a corporation is also a violation of this part by that corporation. The penalties of this chapter apply to that violation. When acting in the scope of their employment, the actions and omissions of individuals acting for or employed by that carrier are considered to be the actions and omissions of that carrier as well as that individual.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11915 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

SUBTITLE V—RAIL PROGRAMS

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PART C—PASSENGER TRANSPORTATION

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¹So in original. Probably should be "Federal Grants to States for Highway-Rail Grade Crossing Safety".

²So in original. Probably should be "State Rail Plans".

Chapter
285. Commuter Rail Mediation 28501

AMENDMENTS

2008—Pub. L. 110-432, div. A, title II, § 207(b), div. B, title III, § 301(b), title IV, § 401(b), Oct. 16, 2008, 122 Stat. 4875, 4946, 4956, added items for chapters 225, 244, and 285.

Pub. L. 110-432, div. B, title III, § 303(b), Oct. 16, 2008, 122 Stat. 4951, which directed insertion of the item for chapter 227 after the item for chapter 223, was executed by making the insertion after the item for chapter 225 to reflect the probable intent of Congress.

2007—Pub. L. 110-140, title XI, § 1112(b), Dec. 19, 2007, 121 Stat. 1759, substituted “Capital Grants for Class II and Class III Railroads” for “Light Density Rail Line Pilot Projects” in item for chapter 223.

1998—Pub. L. 105-178, title VII, § 7202(b), June 9, 1998, 112 Stat. 471, added item for chapter 223.

1997—Pub. L. 105-134, title I, § 106(a), Dec. 2, 1997, 111 Stat. 2573, struck out item for chapter 245 “Amtrak Commuter”.

1996—Pub. L. 104-287, § 5(56)(B), Oct. 11, 1996, 110 Stat. 3394, added item for chapter 283.

1994—Pub. L. 103-440, title I, § 103(b)(1), Nov. 2, 1994, 108 Stat. 4618, added part D and item for chapter 261, struck out former part D “MISCELLANEOUS” and former item for chapter 261 “Law Enforcement . . . 26101”, and added part E and item for chapter 281.

PART A—SAFETY

CHAPTER 201—GENERAL

SUBCHAPTER I—GENERAL

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20101.	Purpose.
20102.	Definitions.
20103.	General authority.
20104.	Emergency authority.
20105.	State participation.
20106.	National uniformity of regulation. ¹
20107.	Inspection and investigation.
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20109.	Employee protections.
20110.	Effect on employee qualifications and collective bargaining.
20111.	Enforcement by the Secretary of Transportation.
20112.	Enforcement by the Attorney General.
20113.	Enforcement by the States.
20114.	Judicial procedures.
20115.	User fees.
20116.	Rulemaking process.
20117.	Authorization of appropriations.
20118.	Prohibition on public disclosure of railroad safety analysis records.
20119.	Study on use of certain reports and surveys.
20120.	Enforcement report.

SUBCHAPTER II—PARTICULAR ASPECTS OF SAFETY

20131.	Restricted access to rolling equipment.
20132.	Visible markers for rear cars.
20133.	Passenger cars.
20134.	Grade crossings and railroad rights of way.
20135.	Licensing or certification of locomotive operators.
20136.	Automatic train control and related systems.
20137.	Event recorders.
20138.	Tampering with safety and operational monitoring devices.
20139.	Maintenance-of-way operations on railroad bridges.
20140.	Alcohol and controlled substances testing.
20141.	Power brake safety.

¹Section catchline amended by Pub. L. 110-53 without corresponding amendment of chapter analysis.

Sec.	Sec.	
20142.	20142.	Track safety.
20143.	20143.	Locomotive visibility.
20144.	20144.	Blue signal protection for on-track vehicles.
20145.	20145.	Report on bridge displacement detection systems.
20146.	20146.	Institute for Railroad Safety.
20147.	20147.	Warning of civil liability.
20148.	20148.	Railroad car visibility.
20149.	20149.	Coordination with the Department of Labor.
20150.	20150.	Positive train control system progress report.
20151.	20151.	Railroad trespassing, vandalism, and highway-rail grade crossing warning sign violation prevention strategy.
20152.	20152.	Notification of grade crossing problems.
20153.	20153.	Audible warnings at highway-rail grade crossings.
20154.	20154.	Capital grants for rail line relocation projects.
20155.	20155.	Tank cars.
20156.	20156.	Railroad safety risk reduction program.
20157.	20157.	Implementation of positive train control systems.
20158.	20158.	Railroad safety technology grants.
20159.	20159.	Roadway user sight distance at highway-rail grade crossings.
20160.	20160.	National crossing inventory.
20161.	20161.	Fostering introduction of new technology to improve safety at highway-rail grade crossings.
20162.	20162.	Minimum training standards and plans.
20163.	20163.	Certification of train conductors.
20164.	20164.	Development and use of rail safety technology.
20165.	20165.	Limitations on non-Federal alcohol and drug testing by railroad carriers. ²
20166.	20166.	Emergency escape breathing apparatus.
20167.	20167.	Railroad safety infrastructure improvement grants.

AMENDMENTS

Pub. L. 110-432, div. A, title I, §§ 103(b), 104(b), 105(b), 107(b), 109(b), title II, §§ 203(b), 204(b), 205(b), 208(b), 210(b), title III, § 303(b), title IV, §§ 401(b), 402(e), 406(b), 409(b), 413(b), 418(b), Oct. 16, 2008, 122 Stat. 4856, 4858-4860, 4867, 4869, 4871, 4873, 4876, 4877, 4879, 4883, 4884, 4886, 4887, 4889, 4892, added items 20116 and 20118 to 20120, substituted “Railroad trespassing, vandalism, and highway-rail grade crossing warning sign violation prevention strategy” for “Railroad trespassing and vandalism prevention strategy” in item 20151 and “Notification of grade crossing problems” for “Emergency notification of grade crossing problems” in item 20152, and added items 20156 to 20167.

2005—Pub. L. 109-59, title IX, §§ 9002(a)(2), 9005(b)(2), Aug. 10, 2005, 119 Stat. 1921, 1925, added items 20154 and 20155.

1995—Pub. L. 104-66, title I, § 1121(g)(2), Dec. 21, 1995, 109 Stat. 724, struck out item 20116 “Biennial report”.

1994—Pub. L. 103-440, title II, §§ 206(b), 207(b), 210(b), 211(b), 212(b), 213(b), 214(b), 215(b), 219(b), title III, §§ 301(b), 302(b), Nov. 2, 1994, 108 Stat. 4621-4624, 4626, 4628, substituted “Biennial” for “Annual” in item 20116 and “cars” for “equipment” in item 20133 and added items 20145 to 20153.

SUBCHAPTER I—GENERAL

§ 20101. Purpose

The purpose of this chapter is to promote safety in every area of railroad operations and reduce railroad-related accidents and incidents.

(Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 863.)

²So in original. Does not conform to section catchline.