

this subsection on such a person for any calendar year shall not exceed \$10,000.

**(b) Enhanced penalty for improper use or disclosure relating to identity theft**

**(1) In general**

In the case of a disclosure or use described in subsection (a) that is made in connection with a crime relating to the misappropriation of another person's taxpayer identity (as defined in section 6103(b)(6)), whether or not such crime involves any tax filing, subsection (a) shall be applied—

- (A) by substituting "\$1,000" for "\$250", and  
(B) by substituting "\$50,000" for "\$10,000".

**(2) Separate application of total penalty limitation**

The limitation on the total amount of the penalty under subsection (a) shall be applied separately with respect to disclosures or uses to which this subsection applies and to which it does not apply.

**(c) Exceptions**

The rules of section 7216(b) shall apply for purposes of this section.

**(d) Deficiency procedures not to apply**

Subchapter B of chapter 63 (relating to deficiency procedures for income, estate, gift, and certain excise taxes) shall not apply in respect of the assessment or collection of any penalty imposed by this section.

(Added Pub. L. 100-647, title VI, §6242(a), Nov. 10, 1988, 102 Stat. 3749, §6712; renumbered §6713, Pub. L. 101-239, title VII, §7816(v)(1), Dec. 19, 1989, 103 Stat. 2423; amended Pub. L. 116-25, title II, §2009(a), July 1, 2019, 133 Stat. 1007.)

AMENDMENTS

2019—Subsecs. (b) to (d), Pub. L. 116-25 added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-25, title II, §2009(c), July 1, 2019, 133 Stat. 1007, provided that: "The amendments made by this section [amending this section and section 7216 of this title] shall apply to disclosures or uses on or after the date of the enactment of this Act [July 1, 2019]."

EFFECTIVE DATE

Pub. L. 100-647, title VI, §6242(d), Nov. 10, 1988, 102 Stat. 3749, provided that: "The amendments made by this section [enacting this section and amending section 7216 of this title] shall apply to disclosures or uses after December 31, 1988."

**§ 6714. Failure to meet disclosure requirements applicable to quid pro quo contributions**

**(a) Imposition of penalty**

If an organization fails to meet the disclosure requirement of section 6115 with respect to a quid pro quo contribution, such organization shall pay a penalty of \$10 for each contribution in respect of which the organization fails to make the required disclosure, except that the total penalty imposed by this subsection with respect to a particular fundraising event or mailing shall not exceed \$5,000.

**(b) Reasonable cause exception**

No penalty shall be imposed under this section with respect to any failure if it is shown that such failure is due to reasonable cause.

(Added Pub. L. 103-66, title XIII, §13173(b), Aug. 10, 1993, 107 Stat. 456.)

CODIFICATION

Another section 6714 was renumbered section 6715 of this title.

EFFECTIVE DATE

Section applicable to quid pro quo contributions made on or after Jan. 1, 1994, see section 13173(d) of Pub. L. 103-66, set out as a note under section 6115 of this title.

**§ 6715. Dyed fuel sold for use or used in taxable use, etc.**

**(a) Imposition of penalty**

If—

(1) any dyed fuel is sold or held for sale by any person for any use which such person knows or has reason to know is not a nontaxable use of such fuel,

(2) any dyed fuel is held for use or used by any person for a use other than a nontaxable use and such person knew, or had reason to know, that such fuel was so dyed,

(3) any person willfully alters, chemically or otherwise, or attempts to so alter, the strength or composition of any dye or marking done pursuant to section 4082 in any dyed fuel, or

(4) any person who has knowledge that a dyed fuel which has been altered as described in paragraph (3) sells or holds for sale such fuel for any use which the person knows or has reason to know is not a nontaxable use of such fuel,

then such person shall pay a penalty in addition to the tax (if any).

**(b) Amount of penalty**

**(1) In general**

Except as provided in paragraph (2), the amount of the penalty under subsection (a) on each act shall be the greater of—

- (A) \$1,000, or  
(B) \$10 for each gallon of the dyed fuel involved.

**(2) Multiple violations**

In determining the penalty under subsection (a) on any person, paragraph (1) shall be applied by increasing the amount in paragraph (1)(A) by the product of such amount and the number of prior penalties (if any) imposed by this section on such person (or a related person or any predecessor of such person or related person).

**(c) Definitions**

For purposes of this section—

**(1) Dyed fuel**

The term "dyed fuel" means any dyed diesel fuel or kerosene, whether or not the fuel was dyed pursuant to section 4082.

**(2) Nontaxable use**

The term "nontaxable use" has the meaning given such term by section 4082(b).

**(d) Joint and several liability of certain officers and employees**

If a penalty is imposed under this section on any business entity, each officer, employee, or