

(2) information that the agency possessing the information determines could not be disclosed without significantly impairing the discharge of authorities and responsibilities which have been delegated to, or vested by law, in such agency.

(Added Pub. L. 112-141, div. E, title II, § 52011(a), July 6, 2012, 126 Stat. 892; amended Pub. L. 114-94, div. A, title VI, § 6018(b), Dec. 4, 2015, 129 Stat. 1577.)

AMENDMENTS

2015—Subsec. (b). Pub. L. 114-94 inserted “or section 6314(b)” after “section 6302(b)(3)(B)” wherever appearing.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

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.

§ 6308. Proceeds of data product sales

Notwithstanding section 3302 of title 31, amounts received by the Bureau from the sale of data products for necessary expenses incurred may be credited to the Highway Trust Fund (other than the Mass Transit Account) for the purpose of reimbursing the Bureau for those expenses.

(Added Pub. L. 112-141, div. E, title II, § 52011(a), July 6, 2012, 126 Stat. 893.)

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.

§ 6309. National transportation atlas database

(a) IN GENERAL.—The Director shall develop and maintain a national transportation atlas database that is comprised of geospatial databases that depict—

- (1) transportation networks;
- (2) flows of people, goods, vehicles, and craft over the transportation networks; and
- (3) social, economic, and environmental conditions that affect or are affected by the transportation networks.

(b) INTERMODAL NETWORK ANALYSIS.—The databases referred to in subsection (a) shall be capable of supporting intermodal network analysis.

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

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.

§ 6310. Limitations on statutory construction

Nothing in this chapter—

(1) authorizes the Bureau to require any other Federal agency to collect data; or

(2) alters or diminishes the authority of any other officer of the Department to collect and disseminate data independently.

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

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 6310¹ 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.

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.

§ 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.

¹ So in original. Probably should be “section 6309”.

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

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.

§ 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.)

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.

§ 6314. Port performance freight statistics program

(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

(1) the Nation's top 25 ports by tonnage;

(2) the Nation's top 25 ports by 20-foot equivalent unit; and

(3) the Nation's top 25 ports by dry bulk.

(b) REPORTS.—

(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

(2) PORT PERFORMANCE MEASURES.—The Director shall collect port performance measures for each of the United States ports referred to in subsection (a) that—

(A) receives Federal assistance; or

(B) is subject to Federal regulation to submit necessary information to the Bureau that includes statistics on capacity and throughput as applicable to the specific configuration of the port.

(c) RECOMMENDATIONS.—

(1) IN GENERAL.—The Director shall obtain recommendations for—

(A) port performance measures, including specifications and data measurements to be used in the program established under subsection (a); and

(B) a process for the Department to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of the Transportation for Tomorrow Act of 2015, the Director shall commission a working group composed of—

(A) operating administrations of the Department;

(B) the Coast Guard;

(C) the Federal Maritime Commission;

(D) U.S. Customs and Border Protection;

(E) the Marine Transportation System National Advisory Council;

(F) the Army Corps of Engineers;

(G) the Great Lakes St. Lawrence Seaway Development Corporation;

(H) the Bureau of Labor Statistics;

(I) the Maritime Advisory Committee for Occupational Safety and Health;

(J) the Advisory Committee on Supply Chain Competitiveness;

(K) 1 representative from the rail industry;

(L) 1 representative from the trucking industry;

(M) 1 representative from the maritime shipping industry;

(N) 1 representative from a labor organization for each industry described in subparagraphs (K) through (M);

(O) 1 representative from the International Longshoremen's Association;

(P) 1 representative from the International Longshore and Warehouse Union;

(Q) 1 representative from a port authority;

(R) 1 representative from a terminal operator;

(S) representatives of the National Freight Advisory Committee of the Department; and

(T) representatives of the Transportation Research Board of the National Academies of Sciences, Engineering, and Medicine.

(3) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of the Trans-