

substituted for “Research and Innovative Technology Administration’s” in subsec. (c)(3) on authority of title I of div. L of Pub. L. 113–76, set out in part as a Transfer of Duties and Powers note under former section 112 of this title.

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.

§ 6305. Advisory council on transportation statistics

(a) IN GENERAL.—The Director shall establish and consult with an advisory council on transportation statistics.

(b) FUNCTION.—The advisory council established under this section shall advise the Director on—

(1) the quality, reliability, consistency, objectivity, and relevance of transportation statistics and analyses collected, supported, or disseminated by the Bureau and the Department; and

(2) methods to encourage cooperation and interoperability of transportation data collected by the Bureau, the operating administrations of the Department, States, local governments, metropolitan planning organizations, and private sector entities.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The advisory council shall be composed of not fewer than 9 and not more than 11 members appointed by the Director.

(2) SELECTION.—In selecting members for the advisory council, the Director shall appoint individuals who—

(A) are not officers or employees of the United States;

(B) possess expertise in—

(i) transportation data collection, analysis, or application;

(ii) economics; or

(iii) transportation safety; and

(C) represent a cross section of transportation stakeholders, to the greatest extent possible.

(d) TERMS OF APPOINTMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), members of the advisory council shall be appointed to staggered terms not to exceed 3 years.

(2) ADDITIONAL TERMS.—A member may be renominated for 1 additional 3-year term.

(3) CURRENT MEMBERS.—A member serving on an advisory council on transportation statistics on the day before the date of enactment of the Transportation Research and Innovative Technology Act of 2012 shall serve until the end of the appointed term of the member.

(e) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the advisory council established under this section, except that section 14 of that Act shall not apply.

(Added Pub. L. 112–141, div. E, title II, § 52011(a), July 6, 2012, 126 Stat. 891.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Transportation Research and Innovative Technology Act of 2012, referred to in subsec. (d)(3), is the date of enactment of div. E of Pub. L. 112–141, which was approved July 6, 2012.

The Federal Advisory Committee Act, referred to in subsec. (e), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

Statutory Notes and Related Subsidiaries

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.

TERMINATION OF ADVISORY COUNCIL ON TRANSPORTATION STATISTICS

Advisory Council on Transportation Statistics terminated Oct. 5, 2018, see section 418(g) of Pub. L. 115–254, set out as a note preceding section 42301 of this title.

ADVISORY COUNCIL ON TRANSPORTATION STATISTICS

Pub. L. 102–240, title VI, § 6007, Dec. 18, 1991, 105 Stat. 2174, required the Director to establish an Advisory Council on Transportation Statistics composed of not more than 6 members to provide advice on the quality of transportation statistics and analysis.

§ 6306. Transportation statistical collection, analysis, and dissemination

To ensure that all transportation statistical collection, analysis, and dissemination is carried out in a coordinated manner, the Director may—

(1) use the services, equipment, records, personnel, information, and facilities of other Federal agencies, or State, local, and private agencies and instrumentalities, subject to the conditions that the applicable agency or instrumentality consents to that use and with or without reimbursement for such use;

(2) enter into agreements with the agencies and instrumentalities described in paragraph (1) for purposes of data collection and analysis;

(3) confer and cooperate with foreign governments, international organizations, and State, municipal, and other local agencies;

(4) request such information, data, and reports from any Federal agency as the Director determines necessary to carry out this chapter;

(5) encourage replication, coordination, and sharing of information among transportation agencies regarding information systems, information policy, and data; and

(6) confer and cooperate with Federal statistical agencies as the Director determines necessary to carry out this chapter, including by entering into cooperative data sharing agreements in conformity with all laws and regulations applicable to the disclosure and use of data.

(Added Pub. L. 112–141, div. E, title II, § 52011(a), July 6, 2012, 126 Stat. 892.)

Statutory Notes and Related Subsidiaries

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.

§ 6307. Furnishing of information, data, or reports by Federal agencies

(a) IN GENERAL.—Except as provided in subsection (b), a Federal agency requested to furnish information, data, or reports by the Director under section 6302(b)(3)(B) shall provide the information to the Director.

(b) PROHIBITION ON CERTAIN DISCLOSURES.—

(1) IN GENERAL.—An officer, employee, or contractor of the Bureau may not—

(A) make any disclosure in which the data provided by an individual or organization under section 6302(b)(3)(B) or section 6314(b) can be identified;

(B) use the information provided under section 6302(b)(3)(B) or section 6314(b) for a nonstatistical purpose; or

(C) permit anyone other than an individual authorized by the Director to examine any individual report provided under section 6302(b)(3)(B) or section 6314(b).

(2) COPIES OF REPORTS.—

(A) IN GENERAL.—No department, bureau, agency, officer, or employee of the United States (except the Director in carrying out this chapter) may require, for any reason, a copy of any report that has been filed under section 6302(b)(3)(B) or section 6314(b) with the Bureau or retained by an individual respondent.

(B) LIMITATION ON JUDICIAL PROCEEDINGS.—A copy of a report described in subparagraph (A) that has been retained by an individual respondent or filed with the Bureau or any of the employees, contractors, or agents of the Bureau—

(i) shall be immune from legal process; and

(ii) shall not, without the consent of the individual concerned, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceedings.

(C) APPLICABILITY.—This paragraph shall apply only to reports that permit information concerning an individual or organization to be reasonably determined by direct or indirect means.

(3) INFORMING RESPONDENT OF USE OF DATA.—If the Bureau is authorized by statute to collect data or information for a nonstatistical purpose, the Director shall clearly distinguish the collection of the data or information, by rule and on the collection instrument, in a manner that informs the respondent who is requested or required to supply the data or information of the nonstatistical purpose.

(c) TRANSPORTATION AND TRANSPORTATION-RELATED DATA ACCESS.—The Director shall be provided access to any transportation and transportation-related information in the possession of any Federal agency, except—

(1) information that is expressly prohibited by law from being disclosed to another Federal agency; or

(2) information that the agency possessing the information determines could not be dis-

closed 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.)

Editorial Notes

AMENDMENTS

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

Statutory Notes and Related Subsidiaries

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.)

Statutory Notes and Related Subsidiaries

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.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination