

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-141 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.

§ 14916. Unlawful brokerage activities

(a) **PROHIBITED ACTIVITIES.**—A person may provide interstate brokerage services as a broker only if that person—

- (1) is registered under, and in compliance with, section 13904; and
- (2) has satisfied the financial security requirements under section 13906.

(b) **EXCEPTIONS.**—Subsection (a) shall not apply to—

(1) a non-vessel-operating common carrier (as defined in section 40102 of title 46) or an ocean freight forwarder (as defined in section 40102 of title 46) when arranging for inland transportation as part of an international through movement involving ocean transportation between the United States and a foreign port;

(2) a customs broker licensed in accordance with section 111.2 of title 19, Code of Federal Regulations, only to the extent that the customs broker is engaging in a movement under a customs bond or in a transaction involving customs business, as defined by section 111.1 of title 19, Code of Federal Regulations; or

(3) an indirect air carrier holding a Standard Security Program approved by the Transportation Security Administration, only to the extent that the indirect air carrier is engaging in the activities as an air carrier as defined in section 40102(2) or in the activities defined in section 40102(3).

(c) **CIVIL PENALTIES AND PRIVATE CAUSE OF ACTION.**—Any person who knowingly authorizes, consents to, or permits, directly or indirectly, either alone or in conjunction with any other person, a violation of subsection (a) is liable—

- (1) to the United States Government for a civil penalty in an amount not to exceed \$10,000 for each violation; and
- (2) to the injured party for all valid claims incurred without regard to amount.

(d) **LIABLE PARTIES.**—The liability for civil penalties and for claims under this section for unauthorized brokering shall apply, jointly and severally—

- (1) to any corporate entity or partnership involved; and
- (2) to the individual officers, directors, and principals of such entities.

(Added Pub. L. 112-141, div. C, title II, § 32919(a), July 6, 2012, 126 Stat. 827; amended Pub. L. 114-94, div. A, title V, § 5508(a)(5), Dec. 4, 2015, 129 Stat. 1554.)

Editorial Notes

AMENDMENTS

2015—Pub. L. 114-94 substituted section symbol for “SEC.” before section designation.

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.

PART C—PIPELINE CARRIERS

Editorial Notes

AMENDMENTS

1996—Pub. L. 104-287, § 5(40), Oct. 11, 1996, 110 Stat. 3392, made technical amendment to part heading.

CHAPTER 151—GENERAL PROVISIONS

Sec.

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| 15101. | Transportation policy. |
| 15102. | Definitions. |
| 15103. | Remedies as cumulative. |

Editorial Notes

AMENDMENTS

1996—Pub. L. 104-287, § 5(41), Oct. 11, 1996, 110 Stat. 3392, struck out duplicative chapter heading.

§ 15101. Transportation policy

(a) **IN GENERAL.**—To ensure the development, coordination, and preservation of a transportation system that meets the transportation needs of the United States, including the national defense, it is the policy of the United States Government to oversee the modes of transportation and in overseeing those modes—

- (1) to recognize and preserve the inherent advantage of each mode of transportation;
- (2) to promote safe, adequate, economical, and efficient transportation;
- (3) to encourage sound economic conditions in transportation, including sound economic conditions among carriers;
- (4) to encourage the establishment and maintenance of reasonable rates for transportation without unreasonable discrimination or unfair or destructive competitive practices;
- (5) to cooperate with each State and the officials of each State on transportation matters; and
- (6) to encourage fair wages and working conditions in the transportation industry.

(b) **ADMINISTRATION TO CARRY OUT POLICY.**—This part shall be administered and enforced to carry out the policy of this section.

(Added Pub. L. 104-88, title I, § 106(a), Dec. 29, 1995, 109 Stat. 921; amended Pub. L. 105-102, § 2(13), Nov. 20, 1997, 111 Stat. 2205.)

HISTORICAL AND REVISION NOTES

PUB. L. 105-102

This amends 49:15101(a) to correct a grammatical error.