

§ 30505. Penalties and enforcement

(a) PENALTY.—An individual or entity violating this chapter is liable to the United States Government for a civil penalty of not more than \$1,000 for each violation.

(b) COLLECTION AND COMPROMISE.—(1) The Attorney General shall impose a civil penalty under this section. The Attorney General shall bring a civil action to collect the penalty. The Attorney General may compromise the amount of the penalty. In determining the amount of the penalty or compromise, the Attorney General shall consider the appropriateness of the penalty to the size of the business of the individual or entity charged and the gravity of the violation.

(2) The Government may deduct the amount of a civil penalty imposed or compromised under this section from amounts it owes the individual or entity liable for the penalty.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 983; Pub. L. 104-152, §3(a), July 2, 1996, 110 Stat. 1384.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30505, 15:2044(c), Oct. 25, 1992, Pub. L. 102-519, §204(c), 106 Stat. 3393.

In subsection (a), the words "An individual or entity violating this chapter is liable to the United States Government for a civil penalty of" are substituted for "Whoever violates this section may be assessed a civil penalty of not to exceed" for clarity and consistency in the revised title and with other titles of the United States Code.

In subsection (b), the words "individual or entity" are substituted for "person" for clarity and consistency with the source provisions restated in the revised chapter.

In subsection (b)(1), the words "The Secretary of Transportation shall impose a civil penalty under this section. The Attorney General shall bring a civil action to collect the penalty" are substituted for "Any such penalty shall be assessed by the Secretary and collected in a civil action brought by the Attorney General of the United States" for clarity and consistency in the revised title and with other titles of the Code.

In subsection (b)(2), the words "penalty imposed or compromised" are substituted for "such penalty, finally determined, or the amount agreed upon in compromise", and the words "liable for the penalty" are substituted for "charged", for clarity and consistency in the revised title and other titles of the Code.

Editorial Notes

AMENDMENTS

1996—Subsec. (b)(1). Pub. L. 104-152 substituted "Attorney General shall impose" for "Secretary of Transportation shall impose", "Attorney General may compromise" for "Secretary may compromise", and "Attorney General shall consider" for "Secretary shall consider".

PART B—COMMERCIAL

CHAPTER 311—COMMERCIAL MOTOR VEHICLE SAFETY

SUBCHAPTER I—GENERAL AUTHORITY AND STATE GRANTS

- Sec. 31100. Purpose. 31101. Definitions.

- Sec. 31102. Motor carrier safety assistance program. 31103. Commercial motor vehicle operators grant program. 31104. Authorization of appropriations. 31105. Employee protections. 31106. Information systems. [31107. Repealed.] 31108. Motor carrier research and technology program. [31109. Repealed.] 31110. Authorization of appropriations.

SUBCHAPTER II—LENGTH AND WIDTH LIMITATIONS

- 31111. Length limitations. 31112. Property-carrying unit limitation. 31113. Width limitations. 31114. Access to the Interstate System. 31115. Enforcement.

SUBCHAPTER III—SAFETY REGULATION

- 31131. Purposes and findings. 31132. Definitions. 31133. General powers of the Secretary of Transportation. 31134. Requirement for registration and USDOT number. 31135. Duties of employers and employees. 31136. United States Government regulations. 31137. Electronic logging devices and brake maintenance regulations. 31138. Minimum financial responsibility for transporting passengers. 31139. Minimum financial responsibility for transporting property. [31140. Repealed.] 31141. Review and preemption of State laws and regulations. 31142. Inspection of vehicles. 31143. Investigating complaints and protecting complainants. 31144. Safety fitness of owners and operators. 31145. Coordination of Governmental activities and paperwork. 31146. Relationship to other laws. 31147. Limitations on authority. 31148. Certified motor carrier safety auditors. 31149. Medical program. 31150. Safety performance history screening. 31151. Roadability.

SUBCHAPTER IV—MISCELLANEOUS

- 31161. International cooperation.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114-94, div. A, title V, §§5101(d), (e)(3), (4), 5103(b), Dec. 4, 2015, 129 Stat. 1525, 1527, substituted "Motor carrier safety assistance program" for "Grants to States" in item 31102, "Commercial motor vehicle operators grant program" for "United States Government's share of costs" in item 31103, and "Authorization of appropriations" for "Availability of amounts" in item 31104, struck out items 31107 "Border enforcement grants" and 31109 "Performance and registration information system management", and added item 31110.

2012—Pub. L. 112-141, div. C, title II, §§32105(b), 32301(d), July 6, 2012, 126 Stat. 781, 788, added items 31134 and 31137 and struck out former item 31137 "Monitoring device and brake maintenance regulations".

2005—Pub. L. 109-59, title IV, §§4109(b)(2), 4110(b), 4111(b), 4116(e), 4117(b), 4118(b), 4119(b), Aug. 10, 2005, 119 Stat. 1721, 1722, 1724, 1728, 1729, 1732, 1733, substituted "GENERAL AUTHORITY AND STATE GRANTS" for "STATE GRANTS AND OTHER COMMERCIAL MOTOR VEHICLE PROGRAMS" in subchapter I head-