

(A) diversifying the freight transportation industry workforce; and  
 (B) creating and transitioning a workforce capable of designing, deploying, and operating emerging technologies.

(e) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of an activity carried out under this section shall be up to 100 percent.

(2) USE OF NON-FEDERAL FUNDS.—In addition to using funds made available to carry out this section, the National Academy of Sciences may seek and accept additional funding from public and private entities capable of accepting funding from the Department of Transportation, States, units of local government, non-profit entities, and the private sector.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$3,750,000 for each fiscal year to carry out the program established under subsection (a), to remain available until expended.

(g) SUNSET.—The program established under subsection (a) shall terminate 5 years after the date of enactment of this section.

(Added Pub. L. 117–58, div. B, title I, §21204(a), Nov. 15, 2021, 135 Stat. 677.)

**Editorial Notes**

REFERENCES IN TEXT

The date of enactment of this section, referred to in subssecs. (a) and (g), is the date of enactment of Pub. L. 117–58, which was approved Nov. 15, 2021.

**§ 70206. Savings provision**

Nothing in this subtitle provides additional authority to regulate or direct private activity on freight networks designated under this subtitle.

(Added Pub. L. 114–94, div. A, title VIII, §8001(a), Dec. 4, 2015, 129 Stat. 1612, §70204; renumbered §70206, Pub. L. 117–58, div. B, title I, §21106(a)(1), Nov. 15, 2021, 135 Stat. 659.)

**Editorial Notes**

AMENDMENTS

2021—Pub. L. 117–58 renumbered section 70204 of this title as this section.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

**[CHAPTER 703—TRANSFERRED]**

**Editorial Notes**

CODIFICATION

Former chapter 703 was renumbered chapter 511 of Title 51, National and Commercial Space Programs. Former sections 70301 to 70305 were renumbered sections 51101 to 51105, respectively, of Title 51.

**SUBTITLE X—MISCELLANEOUS**

Chapter	Sec.
<b>801. Bills of Lading .....</b>	<b>80101</b>

Chapter	Sec.
<b>803. Contraband .....</b>	<b>80301</b>
<b>805. Miscellaneous .....</b>	<b>80501</b>

**CHAPTER 801—BILLS OF LADING**

Sec.	
80101.	Definitions.
80102.	Application.
80103.	Negotiable and nonnegotiable bills.
80104.	Form and requirements for negotiation.
80105.	Title and rights affected by negotiation.
80106.	Transfer without negotiation.
80107.	Warranties and liability.
80108.	Alterations and additions.
80109.	Liens under negotiable bills.
80110.	Duty to deliver goods.
80111.	Liability for delivery of goods.
80112.	Liability under negotiable bills issued in parts, sets, or duplicates.
80113.	Liability for nonreceipt, misdescription, and improper loading.
80114.	Lost, stolen, and destroyed negotiable bills.
80115.	Limitation on use of judicial process to obtain possession of goods from common carriers.
80116.	Criminal penalty.

**Editorial Notes**

AMENDMENTS

1994—Pub. L. 103–429, §6(79), Oct. 31, 1994, 108 Stat. 4388, made technical amendment to chapter heading.

**§ 80101. Definitions**

In this chapter—

(1) “consignee” means the person named in a bill of lading as the person to whom the goods are to be delivered.

(2) “consignor” means the person named in a bill of lading as the person from whom the goods have been received for shipment.

(3) “goods” means merchandise or personal property that has been, is being, or will be transported.

(4) “holder” means a person having possession of, and a property right in, a bill of lading.

(5) “order” means an order by indorsement on a bill of lading.

(6) “purchase” includes taking by mortgage or pledge.

(7) “State” means a State of the United States, the District of Columbia, and a territory or possession of the United States.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1346.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80101 .....	49 App.:122.	Aug. 29, 1916, ch. 415, §42, 39 Stat. 545.

In this chapter, the words “negotiable bill of lading” are substituted for “order bill”, and the words “non-negotiable bill of lading” are substituted for “straight bill”, for clarity and consistency in the revised title and with other titles of the United States Code.

In this section, before clause (1), the words “unless the context of subject matter otherwise requires” are omitted as unnecessary because of the restatement. The words “‘Action’ includes counterclaim, set-off, and suit in equity” are omitted as unnecessary. The words “‘Bill’ means bill of lading, governed by this chapter”

are omitted because of section 80102 of the revised title. In clauses (1), (2), and (4), the words “‘Person’ includes a corporation or partnership, or two or more persons having a joint or common interest” are omitted because of 1:1. In clause (3), the words “‘personal property’” are substituted for “‘chattels’” for clarity and consistency. The words “‘is being’” are substituted for “‘in course of’” for clarity. In clause (7), the words “‘State’ means a State of the United States” are substituted for “‘State’ includes” for clarity and consistency in the revised title and with other titles of the Code. The word “‘possession’” is substituted for “‘insular possession, or isthmian possession’” for consistency in the revised title.

**§ 80102. Application**

This chapter applies to a bill of lading when the bill is issued by a common carrier for the transportation of goods—

- (1) between a place in the District of Columbia and another place in the District of Columbia;
- (2) between a place in a territory or possession of the United States and another place in the same territory or possession;
- (3) between a place in a State and a place in another State;
- (4) between a place in a State and a place in the same State through another State or a foreign country; or
- (5) from a place in a State to a place in a foreign country.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1346.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
80102 .....	49 App.:81.	Aug. 29, 1916, ch. 415, §1, 39 Stat. 538.

In this chapter, the words “‘common carrier’” are substituted for “‘carrier’” because the source provisions restated in this section provide that this chapter applies to bills of lading issued by common carriers.

In clause (2), the words “‘territory or possession’” are substituted for “‘Territory’” for consistency in the revised title and with other titles of the United States Code.

**§ 80103. Negotiable and nonnegotiable bills**

(a) NEGOTIABLE BILLS.—(1) A bill of lading is negotiable if the bill—

- (A) states that the goods are to be delivered to the order of a consignee; and
- (B) does not contain on its face an agreement with the shipper that the bill is not negotiable.

(2) Inserting in a negotiable bill of lading the name of a person to be notified of the arrival of the goods—

- (A) does not limit its negotiability; and
- (B) is not notice to the purchaser of the goods of a right the named person has to the goods.

(b) NONNEGOTIABLE BILLS.—(1) A bill of lading is nonnegotiable if the bill states that the goods are to be delivered to a consignee. The indorsement of a nonnegotiable bill does not—

- (A) make the bill negotiable; or
- (B) give the transferee any additional right.

(2) A common carrier issuing a nonnegotiable bill of lading must put “‘nonnegotiable’” or “‘not

negotiable’” on the bill. This paragraph does not apply to an informal memorandum or acknowledgment.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1346.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
80103(a)(1) ..	49 App.:83.	Aug. 29, 1916, ch. 415, §§2, 3, 6, 7, 29 (last sentence), 39 Stat. 539, 543.
80103(a)(2) ..	49 App.:87.	
80103(b)(1) ..	49 App.:82. 49 App.:109 (last sentence).	
80103(b)(2) ..	49 App.:86.	

In subsection (a)(1), the words “‘A bill of lading is negotiable if . . . states that the goods are to be delivered to the order of a consignee’” are substituted for “‘A bill in which it is stated that the goods are consigned or destined to the order of any person named in such bill is an order bill’” for clarity and consistency in the revised title and with other titles of the United States Code. The words “‘does not contain on its face an agreement with the shipper that the bill is not negotiable’” are substituted for 49 App.:83 (last sentence) for clarity and to eliminate unnecessary words.

In subsection (a)(2)(B), the words “‘right the named person has’” are substituted for “‘rights or equities of such person’” for clarity.

In subsection (b)(1), before clause (A), the words “‘A bill of lading is nonnegotiable if’” are substituted for “‘A bill in which . . . is a straight bill’” in 49 App.:82 for consistency in the revised title and with other titles of the Code. The words “‘free from existing equities’” in 49 App.:109 (last sentence) are omitted as surplus.

**§ 80104. Form and requirements for negotiation**

(a) GENERAL RULES.—(1) A negotiable bill of lading may be negotiated by indorsement. An indorsement may be made in blank or to a specified person. If the goods are deliverable to the order of a specified person, then the bill must be indorsed by that person.

(2) A negotiable bill of lading may be negotiated by delivery when the common carrier, under the terms of the bill, undertakes to deliver the goods to the order of a specified person and that person or a subsequent indorsee has indorsed the bill in blank.

(3) A negotiable bill of lading may be negotiated by a person possessing the bill, regardless of the way in which the person got possession, if—

- (A) a common carrier, under the terms of the bill, undertakes to deliver the goods to that person; or
- (B) when the bill is negotiated, it is in a form that allows it to be negotiated by delivery.

(b) VALIDITY NOT AFFECTED.—The validity of a negotiation of a bill of lading is not affected by the negotiation having been a breach of duty by the person making the negotiation, or by the owner of the bill having been deprived of possession by fraud, accident, mistake, duress, loss, theft, or conversion, if the person to whom the bill is negotiated, or a person to whom the bill is subsequently negotiated, gives value for the bill in good faith and without notice of the breach of duty, fraud, accident, mistake, duress, loss, theft, or conversion.