

US Code

(Unofficial compilation from the Legal Information Institute)

TITLE 49 - TRANSPORTATION SUBTITLE X—MISCELLANEOUS

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TITLE 49 TRANSPORTATION

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TITLE 49—TRANSPORTATION

This title was enacted by Pub. L. 95-473, § 1, Oct. 17, 1978, 92 Stat. 1337; Pub. L. 97-449, § 1, Jan. 12, 1983, 96 Stat. 2413; Pub. L. 103-272, July 5, 1994, 108 Stat. 745

Subtitle ...Sec.

- I. DEPARTMENT OF TRANSPORTATION ...101
- II. OTHER GOVERNMENT AGENCIES ...1101
- III. GENERAL AND INTERMODAL PROGRAMS ...5101
- IV. INTERSTATE TRANSPORTATION ...10101
- V. RAIL PROGRAMS ...20101
- VI. MOTOR VEHICLE AND DRIVER PROGRAMS ...30101
- VII. AVIATION PROGRAMS ...40101
- VIII. PIPELINES ...60101
- IX. COMMERCIAL SPACE TRANSPORTATION ...70101
- X. MISCELLANEOUS ...80101

Amendments

1995—Pub. L. 104-88, title I, § 102(b), Dec. 29, 1995, 109 Stat. 852, as amended by Pub. L. 104-287, § 6(f)(1), Oct. 11, 1996, 110 Stat. 3399, substituted “TRANSPORTATION” for “COMMERCE” in item for subtitle IV.

1994—Pub. L. 103-272, § 1(b), July 5, 1994, 108 Stat. 745, amended subtitle analysis generally, substituting “OTHER GOVERNMENT AGENCIES . . .1101” for “TRANSPORTATION PROGRAMS . . .3101” in item for subtitle II, “GENERAL AND INTERMODAL PROGRAMS . . .5101” for “[RESERVED—AIR TRANSPORTATION]” in item for subtitle III, and “RAIL PROGRAMS . . .20101” for “[RESERVED—MISCELLANEOUS]” in item for subtitle V, and adding items for subtitles VI, VII, VIII, IX, and X.

1983—Pub. L. 97-449, § 1(b), Jan. 12, 1983, 96 Stat. 2413, amended subtitle analysis generally, substituting “DEPARTMENT OF TRANSPORTATION . . .101” for “[RESERVED—DEPARTMENT OF TRANSPORTATION]” in item for subtitle I and “TRANSPORTATION PROGRAMS . . .3101” for “[RESERVED—TRANSPORTATION PROGRAMS]” in item for subtitle II.

Table Showing Disposition of Former Sections of Title 49

Title 49 Former Sections	Title 49 New Sections
1(1), (2)	10501
1(3)	10102
1(4) (related to standards)	10701
1(4) (2d sentence last cl.)	10702
1(4) (1st sentence related to through routes and 2d sentence less last cl.)	10703
1(4) (1st sentence 14th–23d words)	11101
1(5)(a)	10701
1(5)(b) (7th and 8th sentences)	10709
1(5)(b) (less 7th and 8th sentences)	10701
1(5)(c)(i)	10709
1(5)(c)(ii)	10102
1(5)(d)	Rep.
1(51/2)	10749
1(6) (last sentence)	10750
1(6) (less last sentence)	10702 (See also 10701(a))
1(7) (1st sentence, 32 words before 8th semicolon-9th semicolon)	10721
1(7) (1st sentence words before 2d semicolon, words between 5th semicolon and 21st word after 7th semicolon, 1st–18th words after 9th semicolon, 1st proviso (words before semicolon), 2d, and 3d provisos)	10722

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Title 49 Former Sections	Title 49 New Sections
1(7) (1st sentence 1st–4th and 13th–20th words after 2d semicolon and words between 3d and 5th semicolons)	10723
1(7) (1st sentence 5th–12th and 21st–29th words after 2d semicolon and last 11 words before 1st proviso)	10723
1(7) (1st sentence 1st proviso, words between semicolon and colon)	10724
1(7) (less 1st sentence)	11905
1(8)	10746
1(9)	11104
1(10)	10102
1(11)	11121
1(12) (3d sentence)	11902
1(12) (less 3d sentence)	11126
1(13)	11121
1(14)(a)	11122
1(14)(b)	11121
1(14)(c)	11105
1(15) (related to car service less last sentence)	11123
1(15) (last sentence)	11128
1(15) (related to service less last sentence)	11127
1(16) (related to traffic less (b))	11124
1(16) (related to service less (b))	11127
1(16)(b)	11125
1(17)(a) (1st sentence)	11121
1(17)(a) (last sentence less proviso)	11901
1(17)(a) (last sentence proviso)	10501
1(17)(b)	11907
1(18)(a), (b)	10901
1(18)(c)	10902
1(18)(d)	10907
1(18)(e) (related to action by the Attorney General)	11703
1(18)(e) (related to Commission action)	11702
1(18)(e)	11901
1(18)(e) (related to State enforcement)	11505
1(19)–(22)	Rep.
1 note	10711
1a(1) (1st sentence)	10903
1a(1) (less 1st and last sentences)	10904
1a(1) (last sentence)	10907
1a(2), (3)	10904
1a(4)	10903
1a(5)	10904
1a(6), (7)	10905
1a(8)	Rep.
1a(9) (related to Commission action)	11702
1a(9) (related to action by the Attorney General)	11703

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Title 49 Former Sections	Title 49 New Sections
1a(9) (last sentence)	11901
1a(9) (related to State enforcement)	11505
1a(10)	10906
1a(11)	10905
2	10741
3(1)	10741
3(1a)	Rep.
3(2) (1st sentence)	10743
3(2) (less 1st sentence)	10744
3(3)	10744
3(4) (1st sentence 2d cl., 2d sentence related to standards)	10701
3(4) (less 1st sentence 2d cl., and 2d sentence related to facilities)	10742
3(5)	11103
4	10726
5(1) (words between semicolon and 1st colon)	11914
5(1) (less words between semicolon and 1st colon)	11342
5(2)(a)	11343
5(2)(b)–(e)	11344
5(2)(f)	11347
5(2)(g), (h)	11345
5(3)(a)–(e)	11346
5(3)(f) (last sentence)	11346
5(3)(f) (less last sentence)	11350
5(3)(g)	11346
5(4)	11348
5(5)–(7)	11343
5(8) (last sentence)	11912
5(8) (less last sentence)	11701
5(9)	11702
5(10)	11351
5(11)	11343
5(12)	11341
5(13)	Rep.
5(14)	11343
5(15) (words after semicolon)	11914
5(15) (less words after semicolon)	11321
5(16), (17)	11321
5a	Rep.
5b, 5c	10706
6(1)	10762
6(2)	10765
6(3), (4)	10762
6(5)	10764
6(6)	10762
6(7)	10761
6(8)	11128

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Title 49 Former Sections	Title 49 New Sections
6(9)	10762
6(10)	11901
6(11)	10503
6(12)	10765
7	10745
8, 9	11705
10(1)	11914
10(2)–(4)	11904
11	10301
12(1)(a) (less 2d sentence words after semicolon and last sentence words after 1st semicolon and before last semicolon)	10321
12(1)(a) (words after semicolon in 2d sentence)	10311
12(1)(a) (last sentence less words before 1st semicolon and after last semicolon)	11703
12(1)(b)	10505
12(2)–(7)	10321
13(1)	11701
13(2) (last sentence)	11502
13(2) (less last sentence)	11701
13(3)	11502
13(4), (5)	11501
13(6)	10326
13a(1)	10908
13a(2)	10909
14(1), (2)	10310
14(3) (last sentence)	10311
14(3) (less last sentence)	10310
15(1)	10704
15(2)	10324
15(3), (4)	10705
15(5)	10748
15(6)	10705
15(7)	10708
15(8)	10707
15(9)	10709
15(10)	10763
15(11)	11710
15(12)	10763
15(13), (14)	11910
15(15)	10747
15(16)	10321
15(17)	10727
15(18)	10728
15(19)	10729
15a(1)–(5)	10704
15a(6), 15b	Rep.
16(1), (2)	11705
16(3)(c), (g)	11705

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Title 49 Former Sections	Title 49 New Sections
16(3)(h)	Rep.
16(3) (less (c), (g), and (h))	11706
16(4)	11705
16(5)	10329
16(6)	10324
16(7)	11914
16(8)-(10)	11901
16(11)	10301
16(12) (related to Commission action)	11702
16(12) (related to action by the Attorney General)	11703
16(12) (related to action by private person)	11705
16(12) (enforcement of money award)	11705
16(13)	10303
16a	Rep.
17(1)	10302
17(2) (1st sentence 80th-98th words and 2d sentence)	10304
17(2) (less 80th-90th words in 1st sentence, less 2d sentence)	10305
17(3) (less 2d sentence and last 42 words of 3d sentence)	10306
17(3) (2d sentence)	10301
17(3) (last 42 words of 3d sentence)	10321
17(4) (1st and 3d sentences)	10305
17(4) (2d sentence)	10303
17(5)	10322
17(6), (7)	10323
17(8)	10324
17(9)(j)	10310
17(9) (less (j))	10327
17(10)	10325
17(11)	10305, 10306
17(12)	10328
17(13)	10308
17(14)(a)	11701
17(14)(b)	Rep.
17(15)	10309
17 note	10306
18(1) (1st and 3d sentences)	10301
18(1) (2d sentence)	10303
18(1) (4th sentence)	10307
18(1) (last sentence)	10321
18(2)	10301
19	10307
19a(a) (1st and last sentences)	10781
19a(a) (2d and 3d sentences)	10301
19a(b)	10782
19a(c)	10781
19a(d)	Rep.

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Title 49 Former Sections	Title 49 New Sections
19a(e)	10783
19a(f), (g)	10784
19a(h)–(j)	10785
19a(k) (1st sentence)	10786
19a(k) (less 1st sentence)	11901
19a(l)	11703
20(1), (2)	11145
20(3) (less (e))	11142
20(3)(e)	Rep.
20(4)	11143
20(5)	11144
20(6) (2d sentence, 1st cl.)	11144
20(6) (2d sentence, 2d cl.)	11145
20(6) (less 2d sentence)	11144
20(7)(a)	11901
20(7)(b) (proviso)	11144
20(7)(b) (less proviso)	11909
20(7)(c)–(e)	11901
20(7)(f)	11910
20(8)	11141
20(9)	11703
20(10)	10301
20(11) (2d sentence, 1st proviso)	10103
20(11) (less 1st sentence 2d proviso related to released value, 2d sentence less words before 2d proviso)	11707
20(11) (1st sentence 2d proviso related to released value), 2d sentence (less 1st–5th provisos)	10730
20(12)	11707
20a(1)–(10)	11301
20a(11) (2d and 3d sentences)	11709
20a(11) (less 2d, 3d, and 4th sentences)	11301
20a(11) (last sentence)	11911
20a(12) (last sentence)	11911
20a(12) (less last sentence)	11322
20b(1)	11361
20b(2) (1st–3d sentences, 4th sentence less words between 8th comma and period, 9th sentence)	11362
20b(2) (4th sentence, words between 8th comma and period, 8th comma and period, 8th sentence)	11363
20b(2) (5th and 7th sentences)	11364
20b(2) (less 1st–9th sentences)	11365
20b(3) (1st and last sentences)	11362
20b(3) (less 1st and last sentences)	11363
20b(4)	11365
20b(5)	11361
20b(6)	11366
20b(7)	Rep.

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Title 49 Former Sections	Title 49 New Sections
20b(8)	11362
20b(9)	11367
20b(10)	10321
20b(11)	11367
20b(12)	Rep.
20b(13)	11361
20c	11303
21	10311
22(1) (1st sentence 1st 26th and 62d–76th words)	10721
22(1) (1st sentence 77th–86th words and 2d proviso, 2d–4th sentences)	10722
22(1) (1st sentence words between 2d and 4th semicolons)	10722
22(1) (1st sentence words between 4th and 5th semicolons)	10722
22(1) (1st sentence 27th–61st words and words between 1st and 2d semicolons)	10723
22(1) (1st sentence words between 6th semicolon and 1st proviso)	10723
22(1) (last 2 sentences)	10724
22(1) (1st sentence words between 5th and 6th semicolons)	10103
22(1) (1st proviso 1st sentence)	Rep.
22(2) (less 1st sentence proviso)	10721
22(2) (1st sentence proviso)	Rep.
23	11703
25	Rep.
26(a)	20102
26(b)	20502
26(c)	20503
26(d)	20504
26(e)	20502
26(f) (words before last semicolon)	20505
26(f) (words after last semicolon)	20902
26(g)	501
26(h) (1st sentence words before last comma)	21302
26(h) (1st sentence words after last comma)	21304
26(h) (2d, 3d sentences, 4th sentence words before last comma)	21302
26(h) (4th sentence words after last comma, 5th sentence)	21304
26(h) (last sentence)	21302
26a	11504
26b	10381–10388
26c	11503
27	Rep.
41(1) (1st sentence)	11915
41(1) (less 1st sentence)	11903
41(2) (related to corporate violations)	11903

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41(2) (related to corporate violations)	11915
41(2) (last sentence)	11916
41(3)	11902
42	Rep.
43	11703
44, 45	T. 15 §§ 28, 29
46	11913
47, 48	Rep.
49	Elim.
50 (related to notice)	10329
50 (related to process)	10330
51 (related to ownership)	11321
51 (related to 49:6(11))	10503
52	10783
53	Elim.
54–59	Rep.
60	11507
61–64	Rep.
65, 65a	10721
66	T. 31 § 3726
67	Elim.
71–79	Rep.
80	T. 40 § 316 (See Rev. T. 40 Table)
81	80102
82, 83	80103
84, 85	80112
86, 87	80103
88, 89	80110
90–92	80111
93	80108
94	80114
95	80107
96–99	80110
100–102	80113
103	80115
104	Rep.
105	80109
106	80111
107, 108	80104
109 (1st sentence)	80106
109 (last sentence)	80103
110	80104
111	80105
112, 113	80106
114–116	80107
117, 118	80104
119, 120	80105
121	80116

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Title 49 Former Sections	Title 49 New Sections
122	80101
123, 124	Rep.
141	Rep.
142	303a
143	Rep.
151–157	Rep.
171–173a, 174–184	Rep.
201	Rep.
211–213	T. 43 §§ 1441–1443
214	Rep.
231	Rep.
241–246	T. 50 §§ 151–154, 156, 157
250–268	Rep.
301	Rep.
302(a), (b)(1)	10521
302(b) (less (1))	11506
302(c)	10523
303(a)(1)	10102
303(a)(2)	10342
303(a)(3)	Rep.
303(a)(4)	10341
303(a)(5)–(7)	Rep.
303(a)(8), (9)	10102
303(a)(10) (proviso)	10522
303(a)(10) (less proviso)	10521
303(a)(11)	10521, 10927
303(a)(12), (13)	10102
303(a)(14) (words before 2d comma)	10102
303(a)(14) (words after 2d comma)	10502
303(a)(15)–(19)	10102
303(a)(20), (21)	Rep.
303(a)(22), (23)	31501
303(b)	10526
303(c) (words between 6th and 7th commas)	10521
303(c) (words before “nor”, less words between 6th and 7th commas)	10921
303(c) (less words before “nor”)	10524
304(a) (matter preceding (1))	10321
304(a)(1) (related to service)	11101
304(a)(1) (related to accounts)	11142
304(a)(1)–(2) (related to qualifications, hours of service, and safety)	31502
304(a)(2) (less “qualifications” through period)	11142
304(a)(3) (1st sentence)	31502
304(a)(3) (last sentence) (related to “Secs. 304(c), 305, 320, 321, 322(a), (b), (d), (f), (g)”))	502–507, 522, 523, 525, 526

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Title 49 Former Sections	Title 49 New Sections
304(a)(3) (last sentence) (related to "Sec. 305(d) (related to liability)")	525
304(a)(3) (last sentence) (related to "Sec. 324")	31504
304(a)(3a) (last sentence) (related to "Secs. 304(c), 305, 320, 321, 322(a), (b), (d), (f), (g)")	502-507, 522, 523, 525, 526
304(a)(3a) (1st sentence)	31502
304(a)(3a) (last sentence) (related to "Sec. 305(d) (related to liability)")	525
304(a)(3a) (last sentence) (related to "Sec. 324")	31504
304(a)(4)	11142
304(a)(4a)	10525
304(a)(5)	31503
304(a)(6)	10321
304(a)(7) (words after semicolon)	10311
304(a)(7) (less words after semicolon)	10321
304(b)	11102
304(c)	11701
304(d) (related to administration matters)	10303
304(d) (related to reports)	10310
304(d)	10311
304(e)	11107
304(f)	11101
304a(1)-(4)	11706
304a(5), (6)	11705
304a(7)	Rep.
304a(8)	11706
305(a) (1st and 2d sentences)	10341
305(a) (3d sentence less proviso)	10342
305(a) (3d sentence proviso)	10344
305(a) (less 1st-3d sentences)	10343
305(b) (2d sentence, 1st 12 words)	10344
305(b) (1st, 3d, 5th, and 12th sentences)	10342
305(b) (2d sentence 13th-37th words)	10341
305(b) (4th and 6th sentences)	10342
305(b) (7th-9th sentences)	10343
305(b) (10th sentence)	10342
305(b) (11th sentence)	10344
305(b) (less 1st-12th sentences)	10342
305(c) (related to the Commission)	10307
305(c) (related to joint boards)	10344
305(d) (related to Commission and employee board subpoena power)	10321
305(d) (related to joint boards)	10344
305(d) (related to liability)	11913
305(e)	10328
305(f) (4th sentence)	10344
305(f) (less 4th sentence)	11502

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Title 49 Former Sections	Title 49 New Sections
305(g) (proviso)	Rep.
305(g) (less proviso)	11705, 11706
305(h)	10301–10306, 10308, 10309, 10321–10325, 10328
305(i) (related to members of Commission)	10301
305(i) (related to joint board)	10344
305(i) (related to examiner)	10306
305(j)	10301
305a	10344 note
306(a)(1) (word before proviso)	10921
306(a)(1) (words after colon)	Rep.
306(a)(2)	10932
306(a)(3)–(5)	Rep.
306(a)(6)	10931
306(a)(7)	10932
306(b), 307	10922
308(a), (b)	10922
308(c), (d)	10932
309(a)(1) (words before 1st proviso)	10921
309(a)(1) (words between 1st and last colons)	Rep.
309(a)(1) (last proviso)	10526
309(a)(2)	10932
309(a)(3)–(5)	Rep.
309(b) (last proviso)	10932
309(b) (less last proviso)	10923
310	10930
310a(a)	10928
310a(b)	11349
310a(c)	10928
310a(c)	11349
311(a) (words before 1st proviso)	10921
311(a) (words after 1st colon)	10924
311(b), (c) (words before 2d comma)	10924
311(c) (words after 2d comma)	10927
311(d)	11144
312(a)	10925
312(b)	10926
312(c)	Rep.
313	11304
314 (related to securities)	11302
314 (related to penalties)	11911
315	10927
316 (related to standards)	10701
316(a) (1st–24th, 45th–59th words)	10703
316(a) (60th–143d words)	10702
316(a) (25th–44th words)	11101
316(b) (related to standards)	10701
316(b) (16th–33d words)	11101

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Title 49 Former Sections	Title 49 New Sections
316(b) (less 16th–33d words)	10702
316(c) (less 2d sentence)	10703
316(c) (2d sentence)	10702
316(d) (1st sentence)	10701
316(d) (less 1st sentence)	10741
316(e) (2d sentence 2d cl.)	10705
316(e) (2d sentence less 2d cl. and less proviso)	10704
316(e) (proviso)	10521
316(e) (less 2d sentence)	11701
316(f)	10705
316(g) (less proviso)	10708
316(g) (proviso)	Rep.
316(h)	10701
316(i)	10704
316(j)	10103
317(a)	10762
317(b) (proviso)	10103, 10721–10724
317(b) (less proviso)	10761
317(c)	10762
317(d)	10761
318(a) (1st sentence related to standards)	10701
318(a) (1st and 4th sentences, and 7th sentence proviso related to relief)	10702
318(a) (2d, 5th, and 6th sentences, and 7th sentence proviso related to general requirements)	10762
318(a) (3d sentence, 7th sentence less proviso, and 7th sentence proviso related to relief)	10761
318(b)	10704
318(c) (proviso)	Rep.
318(c) (less proviso)	10708
319	10730, 11707
320(a) (1st and 2d sentences)	11145
320(a) (less 1st and 2d sentences)	10764
320(b)	11145
320(c)	11143
320(d)	11144
320(e)	11141
320(f)	504
320(g)	11144
321(a)	10329
321(b)	10324
321(c)	10330
321(d) (related to orders)	10324
321(d) (related to notice)	10329
321(d) (related to process)	10330
322(a)	11914
322(b)(1)	11702

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322(b) (less (1))	11708
322(c) (related to rate violations)	11904
322(c) (related to evasion of regulation)	11906
322(d)–(f)	11910
322(g)	11909
322(h)	11901
323 (1st sentence)	10743
323 (less 1st sentence)	10744
324	11106
324a	10747
325	31503
325a	11504
326, 327	Rep.
401–403	Rep.
421–422a	Rep.
422b	Elim.
423–427	Rep.
451–460	Rep.
461	Elim.
481–496	Rep.
521–524	Rep.
551–560	Rep.
581, 582	Rep.
601–603	Rep.
621–623	Rep.
641–649	Rep.
671–685	Rep.
701–705	Rep.
711–722	Rep.
751–758	Rep.
781	80302
782	80303
783 (1st sentence)	80304
783 (last sentence)	80303
784 (proviso)	80304
784 (less proviso)	80306
785	80305
786	80306
787(a)–(c)	80301
787(d)–(g)	80302
788, 789	80304
901	Rep.
902(a)	10102
902(b)	Rep.
902(c), (d) (less exception)	10102
902(d) (words after 1st comma)	10502
902(e) (1st and 2d sentences)	10102
902(e) (3d–5th sentences)	10544

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Title 49 Former Sections	Title 49 New Sections
902(f)–(h)	10102
902(i)	10541
902(j)–(m)	10102
903(a)	10541
903(b)–(d)	10542
903(e)(1)	10544
903(e)(2) (last sentence)	Rep.
903(e)(2) (less last sentence)	10544
903(e)(3)	10544
903(f)	10543
903(g), (h)	10544
903(i)	10721
903(j), (k)	10541
903(l)	10929
904(a)	10321
904(b) (words after last semicolon)	10311
904(b) (less words after last semicolon)	10321
904(c)	11102
904(d)	11108
904(e)	11701
905(a) (1st sentence related to standards and 2d sentence)	10701
905(a) (1st sentence 1st cl.)	11101
905(a) (less 1st sentence 1st cl. and last sentence)	10702
905(b) (4th sentence)	10701, 10702
905(b) (less 4th sentence)	10703
905(c)	10741
905(d) (1st sentence 2d cl., 2d sentence related to facilities)	10701
905(d) (less 1st sentence 2d cl., 2d sentence related to standards)	10742
906(a), (b)	10762
906(c) (proviso)	10103, 10721–10724
906(c) (less proviso)	10761
906(d) (1st sentence)	10761
906(d) (less 1st sentence)	10762
906(e) (1st sentence related to standards)	10701
906(e) (1st sentence and 7th sentence proviso related to relief)	10702
906(e) (2d, 4th, 5th, and 6th sentences, and 7th sentence provision, related to general requirements)	10762
906(e) (3d sentence, and 7th sentence less proviso, and 7th sentence proviso related to relief)	10761
907(a)	11701
907(b)	10704
907(c)	10701
907(d), (e)	10705
907(f)	10704

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907(g) (proviso)	Rep.
907(g) (less proviso)	10708
907(h)	10704
907(i) (proviso)	Rep.
907(i) (less proviso)	10708
908(a)–(e), (f)(4)	11705
908(f) (less (4))	11706
908(g)	11705
909(a) (words before 1st proviso)	10921
909(a) (words after 1st colon)	Rep.
909(b)–(e)	10922
909(f) (words before 1st proviso)	10921
909(f) (words after 1st colon)	Rep.
909(g)	10923
910	10930
911(a)	10928
911(b)	11349
912	10926
912a	10925
913(a)	11145
913(b)	10764
913(c)	11142
913(d)	11143
913(e)–(g)	11144
913 (less (a)–(g))	11141
914	10747
915(a)	10329
915(b)	11701
915(c), (d)	10324
915(e)	11914
916(a)	10301–10306, 10308, 10309, 10321–10325, 10328, 11703, 11913
916(b) (related to Commission action)	11702
916(b) (related to action by the Attorney General)	11703
916(b) (related to action by private person)	11705
916(c)	10310
916(d)	10303
917(a)	11914
917(b), (c)	11904
917(d)	11909
917(e)	11910
917(f) (1st and 2d sentences)	11910
917 (less (a)–(e) and (f) (1st and 2d sentences))	11910
918 (1st sentence)	10743
918 (less 1st sentence)	10744
919	10301
920–922	Rep.

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922a	11303
922b	11504
923	Rep.
1001	Rep.
1002(a)(2)	Rep.
1002(a)(1), (3), (4), (5), (8)	10102
1002(a)(6), (7)	10561
1002(b), (c)	10562
1003(a)	10321
1003(b)	11101
1003(c), (d)	10927
1003(e) (words after last semicolon)	10311
1003(e) (less words after last semicolon)	10321
1003(f)	11701
1004(a) (1st cl.)	11101
1004(a) (related to standards)	10701
1004(a) (related to carrier authority)	10702
1004(b), (c)	10741
1004(d)	10766
1005(a), (b)	10762
1005(c) (proviso)	10103, 10721–10724
1005(c) (less proviso)	10761
1005(d)	10762
1005(e)	10761
1006(a)	11701
1006(b)	10704
1006(c)	10701
1006(d)	10704
1006(e) (proviso)	Rep.
1006(e) (less proviso)	10708
1006(f) (2d and 3d sentences)	10502
1006(f) (less 2d last sentences)	11502
1006(f) (4th and last sentences)	11501
1006a(5), (6)	11705
1006a (less (5), (6), (7))	11706
1006a(7)	Rep.
1007, 1008	10725
1009	10766
1010(a)(1) (words before semicolon)	10921
1010(a) (less words before semicolon in par. (1))	Rep.
1010(b)	10923
1010(c) (less 2d sentence, words before semicolon)	10923
1010(c) (2d sentence, words before semicolon)	10930
1010(d), (e)	10923
1010(f)	10925
1010(g)	10926

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1010(h)	10930
1010(i) (1st sentence)	10933
1010(i) (less 1st sentence and 2d sentence words before semicolon)	11908
1010(i) (related to Commission action)	11702
1010(i) (related to enforcement by the United States)	11703
1010(i) (related to private enforcement)	11704
1010(i) (related to State enforcement)	11505
1011(a)	11323
1011(b) (last proviso)	Rep.
1011(b) (less last proviso)	10930
1011(c)	11323
1011(d)	11701
1011(e)	11702
1011(f)	11701
1011(g)	11323
1012(a) (1st and 2d sentences)	11145
1012(a) (3d sentence)	11142
1012(a) (last sentence)	10764
1012(b)	11145
1012(c)–(e)	11144
1012(f)	11141
1013 (1st sentence related to released value)	10730
1013	11707
1014	10743
1015	10747
1016(a)	10329
1016(b), (c)	10324
1016(d)	11914
1017(a)	10301–10306, 10308, 10309, 10311, 10321–10325, 10328, 11703, 11705, 11913
1017(b)(1) (related to Commission action)	11702
1017(b)(1) (related to action by the Attorney General)	11703
1017(b)(1) (related to action by private person)	11705
1017(b) (less (1))	11708
1017(c)	10310
1017(d)	10303
1018	10749
1019	Rep.
1020 (related to service)	11127
1020 (related to penalties)	11901
1021(a)	11914
1021(b), (c)	11904
1021(d)	11909
1021(e), (f)	11910
1021 (less (a)–(f))	11703

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1152	47302
1153	47303
1154	47302
1155–1157(b)	47304
1157(c)	Rep.
1158	47304
1159(a) (1st sentence)	47305
1159(a) (last sentence)	47306
1159(b)–(d)	47305
1159a, 1159b	41310
1160	47305
1181–1185	Rep.
1201–1203	80504
1211–1215	Rep.
1231–1240	Rep.
1301(1)	Rep.
1301(2), (3) (less proviso)	40102
1301(3) (proviso)	40109
1301(4)–(12)	40102
1301(13)	Rep.
1301(14) (related to certificate)	41101
1301(14) (less certificate)–(37)	40102
1301(38)	46501
1301(39)–(41)	40102
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1304	40103
1305(a), (b)(1)	41713
1305(b)(2)	40102
1305(c), (d) (related to (a), (b)(1))	41713
1305(d) (related to (b)(2))	40102
1305(d) (related to (c))	41713
1306–1308	Rep.
1321–1323	Rep.
1324(a)	40113
1324(b), (c)	41711
1324(d)	40114
1325	Rep.
1341(a), (b)	106
1341(c)	Rep.
1342	106
1343(a)(1), (2) (related to cooperative agreements)	324
1343(a)(2) (related to Deputy Administrator)	106

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Title 49 Former Sections	Title 49 New Sections
1343(b)	329
1343(c)	40107
1343(d)	323
1343(e)	Rep.
1343(f), (g) (1st sentence 33d–43d words)	323
1343(g) (less 1st sentence 33d–43d words)	325
1343(h)	Rep.
1343(i)	322
1344(a)–(d)	40110
1344(a)	322
1344(b)	331
1344(c)(1)	326
1344(d) (less words after semicolon)	322
1344(d) (words after semicolon)	(See former section 1348(b).)
1344(e)	322, 40111
1344(f)	40112
1344(g)	40110
1344(h)	47124
1345	40107
1346, 1346a	40104
1347	40101
1348(a)	40103
1348(b) (1st sentence cl. (3))	44721
1348(b) (1st sentence less cl. (3), 2d sentence)	44502
1348(b) (3d, last sentences)	44721
1348(c), (d)	40103
1348(e)	40109
1348(f)	40106
1348 notes	44506, 44514, 44719
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1349(a) (1st, 2d sentences)	44502
1349(a) (3d, last sentences)	40103
1349(b), 1350	44502
1351	44720
1352	329
1353(a)	44501
1353(b)	44504
1353(c)	44505
1353(d)	44501
1353(e)	44507
1353(f)	44508
1353(g)	44511
1353(h)	44512
1353(i)	44513
1353 notes	44506, 48102
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1354(b)	40114
1354(c) (related to this chapter)	46104

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1354(c) (related to Airport and Airway Improvement Act of 1982)	47122
1354(c) (related to Federal Airport Act and Airport and Airway Development Act of 1970)	Rep.
1354(d)	40108
1354(e)	308(b), 40113
1354(f)	45302
1354 note	44515, 48110
1354a (1st sentence)	44510
1354a (2d sentence)	48106
1354a (3d, last sentences)	44510
1355 (less (a) (last sentence related to fees))	44702
1355(a) (last sentence related to fees)	45303
1356(a) (1st, 2d sentences)	44901
1356(a) (3d sentence 1st–18th words)	44938
1356(a) (3d sentence 19th–last words)	44901
1356(a) (last sentence), (b)	44938
1356(c)	44901
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1356b	44903
1357(a), (b)	44903
1357(c)	44935
1357(d)(1), (2)	40119
1357(d)(3)–(8)	44912
1357(d)(9)	48107
1357(e)(1)	40119, 44937
1357(e)(2), (3), (f), (g)	44903
1357(g)	44936
1357(h)–(j)	44935
1357(k)(1)–(3)	44906
1357(k)(4)	44938
1357 notes	44904, 44906, 44914, 44936, 44938
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1358a	44932
1358b(a)	44933
1358b(b)	44934
1358b(c)	Rep.
1358c	44913
1358d	44905
1358d note	44910
1359	Rep.
1371(a)	41101
1371(b), (c)	41108
1371(d)(1)–(3)	41102
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1371(e)(7)(B)	41109
1371(e)(7)(C)	Rep.
1371(f), (g)	41110
1371(h)	41105
1371(i)	41101
1371(j)	41312
1371(k)	42112
1371(l)	41903
1371(m)	41107
1371(n)(1)	Rep.
1371(n)(2)–(6)	41104
1371(o)	41106
1371(p)	41111
1371(q)	41112
1371(r)	41110
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1371a (related to permit)	41304
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1372(b)	41302
1372(c), (d)	41305
1372(e) (related to duration of permits)	41304
1372(e) (related to terms, conditions, or limitations of permits)	41305
1372(f)	41304
1372(g)	41303
1372(h)	41306
1373(a)	41504
1373(b)(1) (1st sentence)	41510
1373(b)(1) (2d–last sentences)	41511
1373(b)(2)	41510
1373(c)(1), (2)	41504
1373(c)(3)	41509
1373(d)	41506
1374(a)(1)	41702
1374(a)(2)	41501
1374(b)	41310
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1374(d)(1)	41706
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1374 note	41706
1375(a)	Rep.
1375(b)	41902
1375(c), (d)	41903

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1375(f)(1) (1st sentence)	41905
1375(f)(1) (2d–last sentences), (2)	41908
1375(g)	41911
1375(h)	41906
1375(i)	Rep.
1375(j)	T. 39 § 5007
1376(a)–(e)	41901
1376(f)	41910
1376(g)	Rep.
1376(h)(1)	41907
1376(h)(2)	41909
1376(h)(3)	41907
1376a, 1376b	Rep.
1377(a)	41708
1377(b), (c)	Rep.
1377(d), (e) (1st–3d sentences)	41709
1377(e) (last sentence)	41708
1378, 1379	Rep.
1380, 1380 note	44909
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1381(b)	41707
1382(a), (b)	41309
1382(c)	42111
1383	40102
1384	41308
1385	41711
1386(a)	41701
1386(b)	40109
1387, 1388(a)(1)–(3)	Rep.
1388(a)(4)	41103
1388(b)(1)(A)	Rep.
1388(b)(1)(B), (2)	41103
1388(b)(3)	Rep.
1388(b)(4)	41110
1388(c), (d)	41103
1389(a)	41731
1389(b)(1)	41733
1389(b)(2)	41734
1389(b)(3), (4)	41733
1389(b)(5)–(8)	41734
1389(b)(9)	41733
1389(c)	41735
1389(d)	41736
1389(e)(1)	41738
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1401(h)	44111
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1403(e), (f)	44107
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1421(b) (last sentence), (c)	44701
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1422(a) (11th–last words), (b)(1), (2)(A), (B)	44703
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1422(c), (d)	44703
1423(a)(1) (related to issuing certificates)	44702
1423(a)(1) (related to regulations for appliances), (2)	44704
1423(b) (related to issuing certificates)	44702
1423(b) (related to basis for issuing, and contents of, certificates)	44704
1423(c) (related to issuing certificates)	44702
1423(c) (related to basis for issuing, and contents of, certificates)	44704

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1427 (1st sentence)	44707
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1429(a) (1st–7th sentences)	44709
1429(a) (8th–last sentences related to Administrator under subchapter VII)	1153
1429(a) (8th–last sentences less Administrator under subchapter VII), (b)	44709
1429(c)	44710
1430	44711
1431(a)–(d)	44715
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1432(a) (related to issuing certificates)	44702
1432(a) (related to standards)	44701
1432(b), (c)	44706
1432(d)	44914
1433(a), (b)	40103 note
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1434(a)	45102
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1434(c)	45105
1434(d)	45104
1434(e)	45106
1434(f)	45101
1441(a)(1), (2)	1132
1441(a)(3)	1116
1441(a)(4)	1131
1441(a)(5)	1116
1441(b)	1113
1441(c) (1st sentence)	1132
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1441(e)	1154
1441(f)	1131
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1443	1112
1461(a)	41307
1461(b)	41509
1462	40105
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1471(a)(1) (related to subchapter VII)	1155
1471(a)(1) (less subchapter VII), (2) (related to subchapter III, V, VI, or XII, § 1501, 1514, or 1515(e)(2)(B), and Postal Service)	46301
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1471(a)(2) (related to 1471(d))	46303

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1471(a)(3) (less (D)(v) (related to Administrator under subchapter VII))	46301
1471(a)(3)(D)(v) (related to Administrator under subchapter VII)	1153
1471(b)	46304
1471(c)	46302
1471(d)	46303
1472(a)	46316
1472(b)	46306
1472(c)	46308
1472(d)	46309
1472(e)	46310
1472(f)	46311
1472(g)	46313
1472(h)(1)	40113
1472(h)(2)	46312
1472(h)(3)	40113
1472(i)	46502
1472(j)	46504
1472(k)	46506
1472(l)	46505
1472(m)	46507
1472(n)(1)	46502
1472(n)(2)	46501
1472(n)(3)	46502
1472(n)(4)	46501
1472(o)	T. 28 § 538
1472(p)	1155
1472(q)	46315
1472(r)	46314
1473(a)	Rep.
1473(b)(1)	1155, 46305
1473(b)(2), (3)	46304
1473(b)(4)	1155, 46305
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1474	T. 19 § 1644a
1475	Rep.
1481	46102
1482(a)–(c)	46101
1482(d), (e)	Rep.
1482(f)	41507
1482(g)	Rep.
1482(h)	41508
1482(i)	Rep.
1482(j)(1)–(7)	41509
1482(j)(8)	Rep.
1482(j)(9), (10)	41509
1482(k)	Rep.

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1482a	41505
1483(a)	Rep.
1483(b)	41502
1483(c)–(e)	Rep.
1484	46104
1485(a)	46105
1485(b), (c)	46103
1485(d)–(f)	46105
1486 (related to CAB)	1153, 46110
1486 (related to Secretary)	46110
1487(a) (related to CAB)	1151, 46106
1487(a) (related to Attorney General)	46107
1487(a) (related to party in interest)	46108
1487(a) (related to Secretary)	46106
1487(b) (related to CAB)	1151, 46107
1487(b) (related to Secretary)	46107
1488 (related to CAB)	1151, 46107
1488 (related to Secretary)	46107
1489	1152, 46109
1490	41710
1501	44718
1502(a)	40105
1502(b)	40101
1502(c), (d)	40105
1503	40114
1504	40115
1505	40113
1506	40120
1507	44502
1508(a)	40103
1508(b)	41703
1509(a)	40120
1509(b)–(e)	T. 19 § 1644a
1509(f), 1509 note	44109
1510	40120
1511	44902
1512, 1513(a), (b)	40116
1513(c)	Rep.
1513(d)	40116
1513(e)	40117
1513(f)	40116
1514	40106
1515	44907
1515 note	44910
1515a	44908
1516	41704
1517, 1518	40118
1519	44721

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1521, 1522	40103
1523	46307
1531	44301
1532(a)	44302
1532(b), (c)	44306
1533	44303
1534	44305
1535	44304
1536(a)–(d)	44307
1536(e)	Rep.
1536(f)	44307
1537(a) (1st sentence)	44308
1537(a) (last sentence words between 2d and 3d commas)	44302
1537(a) (last sentence less words between 2d and 3d commas)	44306
1537(b)–(d)	44308
1537(e)	Rep.
1537(f)	44308
1538, 1539	Rep.
1540	44309
1541	44302
1542	44310
1551(a)(1)(A)	41102
1551(a)(1)(B)	41102, 41110
1551(a)(1)(C)	41109
1551(a)(1)(D)	41312
1551(a)(1)(E) (related to 49:1371(n)(1))	Rep.
1551(a)(1)(E) (related to 49:1371(n)(4))	41104
1551(a)(1)(F), (G), (2), (3)	Rep.
1551(a)(4)(A) (related to 49:1371(l))	41903
1551(a)(4)(A) (related to 49:1371(m))	41107
1551(a)(4)(A) (related to 49:1375(b))	41902
1551(a)(4)(A) (related to 49:1375(c), (d))	41903
1551(a)(4)(B) (related to 49:1373(a))	41504
1551(a)(4)(B) (related to 49:1373(b))	41510, 41511
1551(a)(4)(B) (related to 49:1373(c)(1), (2))	41504
1551(a)(4)(B) (related to 49:1373(c)(3))	41509
1551(a)(4)(B) (related to 49:1373(d))	41506
1551(a)(4)(C) (related to 49:1374(a)(1))	41702
1551(a)(4)(C) (related to 49:1374(a)(2))	Rep.
1551(a)(4)(C) (related to 49:1374(b))	41310
1551(a)(5)(A)–(C), (D) (related to 49:1482(d), (e), (g))	Rep.
1551(a)(5)(D) (related to 49:1482(h))	41508
1551(a)(5)(D) (related to 49:1482(i))	Rep.
1551(a)(6) (related to 49:1382)	41309
1551(a)(6) (related to 49:1384)	41308
1551(a)(7)	Rep.

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1551(a)(8)	41107, 41901–41903
1551(b)(1)(A)	Rep.
1551(b)(1)(B)	40105
1551(b)(1)(C) (related to 49:1378, 1379)	Rep.
1551(b)(1)(C) (related to 49:1382(a), (b))	41309
1551(b)(1)(C) (related to 49:1382(c))	42111
1551(b)(1)(C) (related to 49:1384)	41308
1551(b)(1)(D)	41901; T. 39 § 5402
1551(b)(1)(E)	10526, 10749, 40101–40103, 40105, 40106, 40109, 40113, 40114, 40118, 41102–41112, 41302–41307, 41312, 41502–41511, 41701, 41703, 41704, 41708–41713, 41901–41903, 41907, 41910, 44712, 46101–46107, 46109, 46110, 46301–46305, 46309, 46311, 46313, 46316, 47501; T. 18 § 6001; T. 39 § 5007
1551(b)(2)	Rep.
1551(b)(3)	41107, 41901–41903
1551(c)–(e)	Rep.
1552(a)(1) (1st sentence)	42102
1552(a)(1) (last sentence)	42101
1552(a)(2)–(c)	42102
1552(d)(1), (2) (1st–3d sentences)	42103
1552(d)(2)(4th sentence)	42102
1552(d)(2) (last sentence), (3)	42103
1552(e)	42102
1552(f)	42104
1552(g)	42105
1552(h)	42101
1552(i)	42101–42103
1552(j)	42106
1553(a)(1)–(5)	Rep.
1553(a)(6)	T. 42 § 6362
1553(a)(7)	T. 2 § 451
1553(a)(8)–(10), (b)	Rep.
1553(c)	41901
1554–1557	Rep.
1601–1601b	5301
1601c	308(e)
1602(a)(1), (2)(A), (B)	5309
1602(a)(2)(C)	5323
1602(a)(3)–(5)	5309
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1602(b), (c)	5309
1602(d)–(g)	5323
1602(h)	5337
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1603(a)	5309
1603(b)(1)	5335
1603(b)(2)	Rep.
1603(c) (1st sentence)	5312
1603(c) (last sentence)	5338
1603(d)	5309
1604, 1604a	Rep.
1604b	5310
1605(a)	5312
1605(b), (c)	Rep.
1605(d)	5312
1606(a)	5324
1606(b)	Rep.
1607(a) (1st sentence)	5301
1607(a) (2d-last sentences), (b)-(g)	5303
1607(h)	5304
1607(i), (j)	5305
1607(k)	5334
1607(l)	5305
1607(m)	5306
1607(n)	5303
1607(o)	5306
1607(p)	5303
1607(q)	5323
1607a(a)-(d)	5336
1607a(e)(1)	5307, 5336
1607a(e)(2)-(k)(1)	5307
1607a(k)(2)	5336
1607a(k)(3), (l)	Rep.
1607a(m)(1)	5307
1607a(m)(2)-(o)	5336
1607a(p)	5307
1607a(q)	5336
1607a(r)	5307
1607a(s), (t)	5336
1607a note	5307
1607a-1	Rep.
1607a-2(a), (b)	5308
1607a-2(c)	5338
1607b, 1607c(a)	5312
1607c(b)(1)-(8)(B)(ii)	5317
1607c(b)(8)(B)(iii)	5338
1607c(b)(8)(B)(iv)-(10)(B)	5317
1607c(b)(10)(C)	5338
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1607c(b)(13)	5338

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1607c(b)(14), (15)	5317
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1607c(c)(6)	5338
1607c(c)(7)	5316
1608(a)	5334
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1608(c)	5302
1608(d)	5324
1608(e)	5323
1608(f)	10531
1608(g), (h)(1)	5323
1608(h)(2)	5302
1608(i)	5334
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1608(k)	5334
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1609	5333
1610(a) (1st sentence)	5301
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1611(a), (b)	5335
1611(c)	Rep.
1612(a)	5301
1612(b) (1st sentence)	5310
1612(b) (last sentence)	5338
1612(c)	5310
1612(d)	5338
1612(e), (f)	5310
1613	Rep.
1614(a) (1st, 2d sentences)	5311
1614(a) (last sentence)	5338
1614(b)–(f)	5311
1614(g) (related to 1612(b))	5310
1614(g) (related to this section)–(i)	5311
1615(a)[no (b)]	5332
1616	5322
1617	5338
1618	5329
1618a	5331
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1634	329
1635–1641	Elim.
1642, 1643	Rep.
1651(a), (b)(1)	101
1651(b)(2)	303
1652(a)–(d)	102
1652(e) (related to FAA)	106
1652(e)(1) (related to FHWA)	104
1652(e)(1) (related to FRA)	103
1652(e)(3) (related to USCG)	108
1652(e)(3) (related to FHWA)	104
1652(e)(3) (related to FRA)	103
1652(e)(4) (related to FHWA)	104
1652(e)(4) (related to FRA)	103
1652(f)	Rep.
1652a	103
1652b	44931
1652b note	337
1653(a)	301
1653(b)	302
1653(c)	351
1653(d)	352
1653(e)	307
1653(f)	303
1653(g)	304
1653(h)	Rep.
1653(i)(1)	5562
1653(i)(2)	5563
1653(i)(3)	5564
1653(i)(4)	5562
1653(i)(5)	5565
1653(i)(6)	Rep.
1653(i)(7)	5567
1653(i)(8)	5566
1653(i)(9)	5568
1653(i)(10)	5561
1653(i)(11)	5562
1653 note	335
1653a	Rep.
1654(a)–(e)	333
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1654(e)	22105
1654(f)	22103
1654(g)	22104
1654(h)	22108
1654(i)	22106
1654(j)	22105
1654(k)–(m)	22107
1654(n)–(p)	22101
1654(q)	22108
1654a	308(d)
1655(a)(1)(A)	Rep.
1655(a)(1)(B), (C)	(See § 2 of Pub. L. 97–449.)
1655(a)(1)(D)	Rep.
1655(a)(1)(E)–(M)	(See § 2 of Pub. L. 97–449.)
1655(a)(2)(A) (related to 49:1634)	329
1655(a)(2), (3)	Rep.
1655(a)(4)	(See § 2 of Pub. L. 97–449.)
1655(a)(5)	Rep.
1655(a)(6)(A)	30102
1655(a)(6)(B)	(See § 2 of Pub. L. 97–449.)
1655(b)(1), (2)	108
1655(b)(3)	Rep.
1655(c)(1) (1st sentence proviso, 2d, last sentences)	106
1655(c)(1)	1116, 1131, 1132, 1153, 40101–40109, 40113, 40114, 44103–44105, 44107, 44110, 44501, 44502, 44504, 44505, 44701–44705, 44707–44709, 44711, 44713, 44720, 44721, 45303, 46101–46107, 46110, 46301, 46304, 46308, 46311, 46313, 46316, 47151–47153, 47302–47306
1655(c)(2)	Rep.
1655(d) (1st sentence)	1112, 1113, 1116, 1131, 1132, 1134, 1151–1155
1655(d) (last sentence)	1153
1655(e)(1)(A)	20302, 21302
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1655(e)(1)(C)	20302, 21302
1655(e)(1)(D)	Rep.
1655(e)(1)(E), (F)	20701–20703, 21302
1655(e)(1)(G)	20702, 20703, 21302
1655(e)(1)(H)	Rep.
1655(e)(1)(I)	20305, 20504
1655(e)(1)(J)	20305
1655(e)(1)(K)	20901, 20902, 21302
1655(e)(2)	Rep.
1655(e)(3)	80504
1655(e)(4)	Rep.
1655(e)(5)	(See § 2 of Pub. L. 97–449.)

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1655(e)(6)(C)	3102, 3103
1655(e)(6)(D) (related to “Sec. 321(a), (c)”)	503
1655(e)(6)(D) (related to “Sec. 324”)	3104
1655(f)(1)	Rep.
1655(f)(2)	501, 502, 504–507, 521–526
1655(f)(3)(A), (C) (related to FRA)	103
1655(f)(3)(B), (C) (related to FHWA)	104
1655(g)(1)–(3), (4)(A), (B), (E), (5), (6)	(See § 2 of Pub. L. 97–449.)
1655(h), (i)	Rep.
1656(less (a) next-to-last par.)	305
1656(a) (next-to-last par.)	(See T. 42 § 1962a–2(a).)
1657(a), (b)	323
1657(c), (d)	324
1657(e)–(g)	322
1657(h), (i)	Rep.
1657(j)	327
1657(k)	102
1657(l)	331
1657(m)	326
1657(n)	329
1657(o)	325
1657(p)	324
1657(q)(1)–(3)	330
1657(q)(4)	Rep.
1657(r)	328
1657–1	353
1657a	332
1658	308(a)
1659	Rep.
1660	335
1671(1)–(4) (1st–32d words)	60101
1671(4) (33d–last words)	60104
1671(5), (6)	60101
1671(7)	60115
1671(8)–(17)	60101
1671 note	60101
1672(a)(1) (1st–5th sentences)	60102
1672(a)(1) (6th sentence)	60104
1672(a)(1) (7th, 8th sentences)	60102
1672(a)(1) (9th, last sentences)	60104
1672(a)(2), (3), (b)	60102
1672(c)	60104
1672(d)	60118
1672(e)–(g)	60102
1672(h)	60108
1672(i)	60109

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1672(j)	60110
1672(k)	60113
1673	60115
1674(a)	60105
1674(b), (c) (related to agreement)	60106
1674(c) (related to certification)	60105
1674(d)	60107
1674(e)	60105
1674(f)	60106
1674a	60103
1674b(a)	Rep.
1674b(b)(1)–(3)	60111
1674b(b)(4)	60119
1674b(c)	60111
1675	60119
1676(a)	60104
1676(b)	60117
1677(a), (b)(1)	60118
1677(b)(2), (c)	60120
1678, 1679	Rep.
1679a(a), (b)	60122
1679a(c)	60123
1679a(d)	60122
1679b(a)	60120
1679b(b)	60112
1680	60108
1681(a)–(e)	60117
1681(f)	60120
1682	60117
1682 note	60117
1682a	60301
1683	60124
1684(a)	60125
1684(b)	Rep.
1684(c)–(e)	60125
1684(f)	Rep.
1685(a)	60116
1685(b)	60113
1686	60121
1687(a)–(e)	60114
1687(f)	60125
1687(g)	60123
1687(h)	60114
1688	60101
1701–1703	Rep.
1704	44503
1711–1713	Rep.
1713a	47127

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1731	47106
1741	80503
1742	Rep.
1743	44502
1761, 1762	Rep.
1801	5101
1802	5102
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1804(a)(4), (5)	5125
1804(b)(1)–(3)	5112
1804(b)(4)	5125
1804(b)(5)–(9), (c)	5112
1804(d)	5120
1804(e), (f)	5104
1804(g)	5110
1805(a)	5106
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1805(c)	5108
1805(d)	5109
1805(e), (f)	Rep.
1805 note	5109
1806	5117
1807	5114
1808(a) (1st sentence, last sentence words before semicolon)	5121
1808(a) (last sentence words after semicolon)	5122
1808(b)–(e)	5121
1809(a)	5123
1809(b)	5124
1810	5122
1811(a)–(e)	5125
1811(f)	5126
1812	5127
1813	5105
1813 note	5105, 5118
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1815(a)–(f)	5116
1815(g)(1)–(6)	5115
1815(g)(7)	5116
1815(g)(8)	5115
1815(g)(9)	5116
1815(h)(1)–(5)	5108
1815(h)(6)	5116
1815(i)	5127
1816(a)–(c)	5107
1816(d)	5127
1817	5111

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1819(a)–(g)	5119
1819(h)	5127
1901	Rep.
1902	1111
1903(a)(1)(A)	1112, 1113, 1116, 1131, 1132, 1134, 1151, 1152, 1154, 1155
1903(a)(1)(B)–(2)	1131
1903(a)(3)–(8)	1116
1903(a)(9)	1133
1903(b)(1)	1113
1903(b)(2)	1134
1903(b)(3), (4)	1113
1903(b)(5)	1134
1903(b)(6)–(9)	1113
1903(b)(10)	1115
1903(b)(11)	1114
1903(b)(12)	1113
1903(c)	1154
1903(d)	1153
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NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

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NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

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2203(d)(2)	Rep.
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2204(a) (last sentence)	Rep.
2204(b)(1)	47104
2204(b)(2)	47107
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NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

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NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

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2517(b)	31145
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2519	31147
2520	Rep.
2521	31137
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2603	70102
2604(a)(1)	70103
2604(a)(2)	70116
2604(b)	70103
2605(a), (b)	70104
2605(c)	70117
2606 (1st sentence)	70105
2606 (last sentence)	70107
2607, 2608(a), (b)	70105
2608(c)	70114
2609	70107
2610	70108
2611	70110
2612	Rep.
2613	70106
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2614(b)(4)	70109
2614(c)	70112

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NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

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2623 (last sentence)	70118
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2806	5706
2807	5707
2808	5708
2809	5710
2810	5711
2811	5712
2812	5714

Enacting Clauses

Section 1(a) of Pub. L. 103–272, July 5, 1994, 108 Stat. 745, provided that: “Certain general and permanent laws of the United States, related to transportation, are revised, codified, and enacted by subsections (c)–(e) of this section without substantive change as subtitles II, III, and V–X of title 49, United States Code, ‘Transportation’. Those laws may be cited as ‘49 U.S.C. _____’.”

Section 1(a) of Pub. L. 97–449, Jan. 12, 1983, 96 Stat. 2413, provided that: “Certain general and permanent laws of the United States, related to transportation, are revised, codified, and enacted by subsection (b) of this section without

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substantive change as subtitle I and chapter 31 of subtitle II of title 49, United States Code, ‘Transportation’. Those laws may be cited as ‘49 U.S.C. § _____’.”

Section 1 of Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1337, provided in part: “That certain general and permanent laws of the United States, related to transportation, are revised, codified, and enacted as [subtitle IV of] title 49, United States Code, ‘Transportation’.”

Clarification of Congressional Intent

Pub. L. 100–561, title III, § 308, Oct. 31, 1988, 102 Stat. 2817, which provided that Pub. L. 95–473 did not repeal and had no substantive effect on any rights, obligations, liabilities, or remedies of oil pipelines, including those arising under any provisions of the Interstate Commerce Act or the Pomerene Bills of Lading Act, before any Federal department or agency or official thereof or a court of competent jurisdiction, was repealed and reenacted as section 60503 of this title by Pub. L. 103–272, §§ 1(e), 7 (b), July 5, 1994, 108 Stat. 1329, 1379.

Legislative Purpose and Construction

Section 4 of Pub. L. 105–102, Nov. 20, 1997, 111 Stat. 2216, provided that:

“(a) No Substantive Change.—This Act restates, without substantive change, laws enacted before May 1, 1997, that were replaced by this Act. This Act may not be construed as making a substantive change in the laws replaced. Laws enacted after April 30, 1997, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

“(b) References.—A reference to a law replaced by this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) Continuing Effect.—An order, rule, or regulation in effect under a law replaced by this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) Actions and Offenses Under Prior Law.—An action taken or an offense committed under a law replaced by this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) Inferences.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a caption or catch line of the provision.

“(f) Severability.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Section 9 of Pub. L. 104–287, Oct. 11, 1996, 110 Stat. 3400, provided that:

“(a) No Substantive Change.—This Act restates, without substantive change, laws enacted before March 1, 1996, that were replaced by this Act. This Act may not be construed as making a substantive change in the laws replaced. Laws enacted after February 29, 1996, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

“(b) References.—A reference to a law replaced by this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) Continuing Effect.—An order, rule, or regulation in effect under a law replaced by this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) Actions and Offenses Under Prior Law.—An action taken or an offense committed under a law replaced by this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) Inferences.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a caption or catchline of the provision.

“(f) Severability.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Section 10 of Pub. L. 103–429, Oct. 31, 1994, 108 Stat. 4391, provided that:

“(a) No Substantive Change.—This Act restates, without substantive change, laws enacted before September 26, 1994, that were replaced by this Act. This Act may not be construed as making a substantive change in the laws replaced. Laws enacted after September 25, 1994, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

“(b) References.—A reference to a law replaced by this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

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NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscript.html>).

“(c) Continuing Effect.—An order, rule, or regulation in effect under a law replaced by this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) Actions and Offenses Under Prior Law.—An action taken or an offense committed under a law replaced by this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) Inferences.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a caption or catchline of the provision.

“(f) Severability.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Section 6 of Pub. L. 103–272, July 5, 1994, 108 Stat. 1378, provided that:

“(a) Sections 1–4 of this Act restate, without substantive change, laws enacted before July 1, 1993, that were replaced by those sections. Those sections may not be construed as making a substantive change in the laws replaced. Laws enacted after June 30, 1993, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

“(b) A reference to a law replaced by sections 1–4 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) An order, rule, or regulation in effect under a law replaced by sections 1–4 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) An action taken or an offense committed under a law replaced by sections 1–4 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) An inference of legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a caption or catch line of the provision.

“(f) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Section 5 of Pub. L. 98–216, Feb. 14, 1984, 98 Stat. 7, provided that:

“(a) Sections 1–4 of this Act restate, without substantive change, laws enacted before April 1, 1983, that were replaced by those sections. Sections 1–4 may not be construed as making a substantive change in the laws replaced. Laws enacted after March 31, 1983, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

“(b) A reference to a law replaced by sections 1–4 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) An order, rule, or regulation in effect under a law replaced by sections 1–4 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) An action taken or an offense committed under a law replaced by sections 1–4 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline of the provision.

“(f) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Section 6 of Pub. L. 97–449, Jan. 12, 1983, 96 Stat. 2443, provided that:

“(a) Sections 1–5 of this Act restate, without substantive change, laws enacted before November 15, 1982, that were replaced by those sections. Those sections may not be construed as making a substantive change in the laws replaced. Laws enacted after November 14, 1982, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

“(b) A reference to a law replaced by sections 1–5 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) An order, rule, or regulation in effect under a law replaced by sections 1–5 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) An action taken or an offense committed under a law replaced by sections 1–5 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

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“(e) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof.

“(f) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Section 2 of Pub. L. 96–258, June 3, 1980, 94 Stat. 427, provided that:

“(a) Section 1 of this Act [enacting section 11351 of this title and amending sections 10324, 10327, 10382, 10525, 10526, 10544, 10706, 10784, 10923, 11101, 11121, 11304, 11707, 11909, 11912, and 11914 of this title] restates, without substantive change, laws enacted before April 24, 1979, that were replaced by that section. That section may not be construed as making a substantive change in the laws replaced. Laws enacted after April 23, 1979, that are inconsistent with this Act are considered as superseding it to the extent of the inconsistency.

“(b) A reference to a law replaced by section 1 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) An order, rule, or regulation in effect under a law replaced by section 1 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) An action taken or an offense committed under a law replaced by section 1 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof.

“(f) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Section 3 of Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1466, provided that:

“(a) Sections 1 and 2 of this Act restate, without substantive change, laws enacted before May 16, 1978, that were replaced by those sections. Those sections may not be construed as making a substantive change in the laws replaced. Laws enacted after May 15, 1978, that are inconsistent with this Act are considered as superseding it to the extent of the inconsistency.

“(b) A reference to a law replaced by sections 1 and 2 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) An order, rule, or regulation in effect under a law replaced by sections 1 and 2 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) An action taken or an offense committed under a law replaced by sections 1 and 2 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof.

“(f) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Repeals and Savings Provisions

Section 5(a) of Pub. L. 105–102, Nov. 20, 1997, 111 Stat. 2216, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

Section 5(b) of Pub. L. 105–102, Nov. 20, 1997, 111 Stat. 2217, as amended by Pub. L. 105–225, § 7(c)(2), Aug. 12, 1998, 112 Stat. 1511, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Nov. 20, 1997.

Section 10(a) of Pub. L. 104–287, Oct. 11, 1996, 110 Stat. 3401, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

Section 10(b) of Pub. L. 104–287, Oct. 11, 1996, 110 Stat. 3401, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Oct. 11, 1996.

Section 11(a) of Pub. L. 103–429, Oct. 31, 1994, 108 Stat. 4391, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

TITLE 49 - SUBTITLE X MISCELLANEOUS

NB: This unofficial compilation of the U.S. Code is current as of Feb. 1, 2010 (see <http://www.law.cornell.edu/uscode/uscript.html>).

Section 11(b) of Pub. L. 103–429, Oct. 31, 1994, 108 Stat. 4391, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Oct. 31, 1994.

Section 7(a) of Pub. L. 103–272, July 5, 1994, 108 Stat. 1379, provided that: “The repeal of a law by this Act may not be construed as a legislative implication that the provision was or was not in effect before its repeal.”

Section 7(b) of Pub. L. 103–272, July 5, 1994, 108 Stat. 1379, as amended by Pub. L. 103–429, § 7(a)(5), Oct. 31, 1994, 108 Stat. 4389, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before July 5, 1994.

Section 6(a) of Pub. L. 98–216, Feb. 14, 1984, 98 Stat. 7, provided that: “The repeal of a law enacted [the word “enacted” probably should not appear] by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

Section 6(b) of Pub. L. 98–216, Feb. 14, 1984, 98 Stat. 7, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Feb. 14, 1984.

Section 7(a) of Pub. L. 97–449, Jan. 12, 1983, 96 Stat. 2443, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

Section 7(b) of Pub. L. 97–449, Jan. 12, 1983, 96 Stat. 2443, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Jan. 12, 1983.

Section 3(a) of Pub. L. 96–258, June 3, 1980, 94 Stat. 427, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

Section 3(b) of Pub. L. 96–258, June 3, 1980, 94 Stat. 427, repealed certain sections and parts of sections of the Interstate Commerce Act and certain other provisions relating to applicability of such Act, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before June 3, 1980.

Section 4(a) of Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1466, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

Section 4(b) of Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1466, repealed the sections and parts of sections of the Interstate Commerce Act and certain other provisions relating to the applicability of such Act, except as provided in section 4(c) of Pub. L. 95–473 and except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Oct. 17, 1978.

Section 4(c) of Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1470, which provided that the laws specified in the schedule in section 4(b) of Pub. L. 95–473, as they existed on Oct. 1, 1977, were not repealed to the extent those laws (A) vested functions in the Interstate Commerce Commission, or in the chairman or members of the Commission, related to transportation of oil by pipeline, and (B) vested functions and authority in the Commission, or an officer or component of the Commission, related to the establishment of rates or charges for transportation of oil by pipeline or valuation of any such pipeline, and those functions and authority were transferred by sections 7155 and 7172 (b) of Title 42, The Public Health and Welfare, was repealed and reenacted in sections 60501 and 60502 of this title by Pub. L. 103–272, §§ 1(e), 7 (b), July 5, 1994, 108 Stat. 1329, 1379.

Effective Date of Certain Repeals

Section 4(d) of Pub. L. 95–473, Oct. 17, 1978, 92 Stat. 1470, as amended by Pub. L. 97–449, § 4(b)(3), Jan. 12, 1983, 96 Stat. 2441, provided that: “The repeals, by subsection (b) of this section, of section 1(a)(25), (26) of the Act of July 3, 1952, chapter 570, the Act of June 30, 1953, chapter 165, and the Act of July 31, 1953, chapter 292, are effective on September 14, 1978.”

TITLE 49 - SUBTITLE X - CHAPTER 801 BILLS OF LADING

NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscpint.html>).

SUBTITLE X—MISCELLANEOUS

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801. Bills of Lading ...80101

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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.

Amendments

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

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§ 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 “nonnegotiable 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.

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§ 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

TITLE 49 - Section 80104 - Form and requirements for negotiation

NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

(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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

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§ 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,

TITLE 49 - Section 80105 - Title and rights affected by negotiation

NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscript.html>).

gives value for the bill in good faith and without notice of the breach of duty, fraud, accident, mistake, duress, loss, theft, or conversion.

(c) Negotiation by Seller, Mortgagor, or Pledgor to Person Without Notice.— When goods for which a negotiable bill of lading has been issued are in a common carrier’s possession, and the person to whom the bill has been issued retains possession of the bill after selling, mortgaging, or pledging the goods or bill, the subsequent negotiation of the bill by that person to another person receiving the bill for value, in good faith, and without notice of the prior sale, mortgage, or pledge has the same effect as if the first purchaser of the goods or bill had expressly authorized the subsequent negotiation.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1347.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80104(a)(1)		
49 App.:108.		
Aug. 29, 1916, ch. 415, §§ 27, 28, 30, 37, 38, 39 Stat. 542, 543, 544.		
80104(a)(2)		
49 App.:107.		
80104(a)(3)		
49 App.:110.		
80104(b)		
49 App.:117.		
80104(c)		
49 App.:118.		

In subsection (a)(1), the words “If the goods are deliverable to the order of a specified person” are substituted for “the person to whose order the goods are deliverable by the tenor of the bill” for clarity. The text of 49 App.:108 (last sentence) is omitted as unnecessary because of the restatement.

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§ 80105. Title and rights affected by negotiation

- (a) Title.**— When a negotiable bill of lading is negotiated—
- (1)** the person to whom it is negotiated acquires the title to the goods that—
 - (A)** the person negotiating the bill had the ability to convey to a purchaser in good faith for value; and
 - (B)** the consignor and consignee had the ability to convey to such a purchaser; and
 - (2)** the common carrier issuing the bill becomes obligated directly to the person to whom the bill is negotiated to hold possession of the goods under the terms of the bill the same as if the carrier had issued the bill to that person.
- (b) Superiority of Rights.**— When a negotiable bill of lading is negotiated to a person for value in good faith, that person’s right to the goods for which the bill was issued is superior to a seller’s lien or to a right to stop the transportation of the goods. This subsection applies whether the negotiation is made before or after the common carrier issuing the bill receives notice of the seller’s claim. The carrier may deliver the goods to an unpaid seller only if the bill first is surrendered for cancellation.
- (c) Mortgagee and Lien Holder Rights Not Affected.**— Except as provided in subsection (b) of this section, this chapter does not limit a right of a mortgagee or lien holder having a mortgage or lien on goods against a person that purchased for value in good faith from the owner, and got possession of the goods immediately before delivery to the common carrier.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1347.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80105(a)		
49 App.:111.		
Aug. 29, 1916, ch. 415, §§ 31, 39, 40, 39 Stat. 543, 544.		
80105(b)		
49 App.:119.		
80105(c)		
49 App.:120.		

In subsection (a)(1), before subclause (A), the word “duly” is omitted as surplus.

In subsection (b), the words “right . . . is superior” are substituted for “no . . . shall defeat the rights of” for clarity. The words “right to stop the transportation” are substituted for “right of stoppage in transitu” for clarity.

In subsection (c), the word “remedies” is omitted as being included in “right”. The words “whose mortgage or lien on goods would be valid, apart from this chapter” are omitted as unnecessary because of the restatement. The words “which are subject to the mortgage or lien” are omitted as unnecessary.

.....

§ 80106. Transfer without negotiation

(a) Delivery and Agreement.— The holder of a bill of lading may transfer the bill without negotiating it by delivery and agreement to transfer title to the bill or to the goods represented by it. Subject to the agreement, the person to whom the bill is transferred has title to the goods against the transferor.

(b) Compelling Indorsement.— When a negotiable bill of lading is transferred for value by delivery without being negotiated and indorsement of the transferor is essential for negotiation, the transferee may compel the transferor to indorse the bill unless a contrary intention appears. The negotiation is effective when the indorsement is made.

(c) Effect of Notification.—

(1) When a transferee notifies the common carrier that a nonnegotiable bill of lading has been transferred under subsection (a) of this section, the carrier is obligated directly to the transferee for any obligations the carrier owed to the transferor immediately before the notification. However, before the carrier is notified, the transferee’s title to the goods and right to acquire the obligations of the carrier may be defeated by—

- (A)** garnishment, attachment, or execution on the goods by a creditor of the transferor; or
- (B)** notice to the carrier by the transferor or a purchaser from the transferor of a later purchase of the goods from the transferor.

(2) A common carrier has been notified under this subsection only if—

- (A)** an officer or agent of the carrier, whose actual or apparent authority includes acting on the notification, has been notified; and
- (B)** the officer or agent has had time, exercising reasonable diligence, to communicate with the agent having possession or control of the goods.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1348.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80106(a)		
49 App.:109 (1st sentence).		

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
	Aug. 29, 1916, ch. 415, §§ 29 (1st sentence), 32, 33, 39 Stat. 543.	
		49 App.:112 (1st sentence).
80106(b)		
	49 App.:113.	
80106(c)		
	49 App.:112 (2d–last sentences).	

In subsection (a), the words “without negotiating it” are added for clarity.

In subsection (b), the text of 49 App.:113 (last sentence) is omitted as unnecessary because of the words “the transferee may compel the transferor”.

In subsection (c)(1), before clause (A), the words “also acquires the right to notify” and “by the transferor or transferee of a straight bill” are omitted as unnecessary because of the restatement.

.....

§ 80107. Warranties and liability

(a) General Rule.— Unless a contrary intention appears, a person negotiating or transferring a bill of lading for value warrants that—

- (1) the bill is genuine;
- (2) the person has the right to transfer the bill and the title to the goods described in the bill;
- (3) the person does not know of a fact that would affect the validity or worth of the bill; and
- (4) the goods are merchantable or fit for a particular purpose when merchantability or fitness would have been implied if the agreement of the parties had been to transfer the goods without a bill of lading.

(b) Security for Debt.— A person holding a bill of lading as security for a debt and in good faith demanding or receiving payment of the debt from another person does not warrant by the demand or receipt—

- (1) the genuineness of the bill; or
- (2) the quantity or quality of the goods described in the bill.

(c) Duplicates.— A common carrier issuing a bill of lading, on the face of which is the word “duplicate” or another word indicating that the bill is not an original bill, is liable the same as a person that represents and warrants that the bill is an accurate copy of an original bill properly issued. The carrier is not otherwise liable under the bill.

(d) Indorser Liability.— Indorsement of a bill of lading does not make the indorser liable for failure of the common carrier or a previous indorser to fulfill its obligations.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1349.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80107(a)		
	49 App.:114.	
	Aug. 29, 1916, ch. 415, §§ 15, 34–36, 39 Stat. 541, 543.	
80107(b)		
	49 App.:116.	
80107(c)		
	49 App.:95.	
80107(d)		

NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscript.html>).

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49 App.:115.		

In subsection (a), before clause (1), the words “by indorsement or delivery” are omitted as surplus. In clause (4), the words “merchantability or fitness” are substituted for “such warranties”, and the words “the goods without a bill of lading” are substituted for “without a bill the goods represented thereby”, for clarity.

In subsection (b), before clause (1), the words “person holding” are substituted for “mortgagee or pledgee or other holder” because they are inclusive. The words “from another person” are substituted for “whether from a party to a draft drawn for such debt or from any other person” to eliminate unnecessary words. The words “does not warrant by the demand or receipt” are substituted for “shall not be deemed by so doing to represent or warrant” for clarity.

In subsection (c), the words “A common carrier issuing . . . is liable” are substituted for “plainly shall impose upon the carrier issuing the same the liability” for clarity and to eliminate unnecessary words. The words “The carrier is not otherwise liable under the bill” are substituted for “but no other liability” for clarity.

In subsection (d), the word “respective” is omitted as unnecessary.

.....

§ 80108. Alterations and additions

An alteration or addition to a bill of lading after its issuance by a common carrier, without authorization from the carrier in writing or noted on the bill, is void. However, the original terms of the bill are enforceable.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1349.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80108		
49 App.:93.		
Aug. 29, 1916, ch. 415, § 13, 39 Stat. 540.		

The word “erasure” is omitted as being included in “alteration”. The words “whatever be the nature and purpose of the change” are omitted as surplus. The word “terms” is substituted for “tenor” for clarity.

.....

§ 80109. Liens under negotiable bills

A common carrier issuing a negotiable bill of lading has a lien on the goods covered by the bill for—

- (1) charges for storage, transportation, and delivery (including demurrage and terminal charges), and expenses necessary to preserve the goods or incidental to transporting the goods after the date of the bill; and
- (2) other charges for which the bill expressly specifies a lien is claimed to the extent the charges are allowed by law and the agreement between the consignor and carrier.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1349.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80109		
49 App.:105.		

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
Aug. 29, 1916, ch. 415, § 25, 39 Stat. 542.		

In this section, before clause (1), the word “If” is omitted as surplus. The words “covered by the bill” are substituted for “therein mentioned” for clarity. In clause (1), the words “charges for storage, transportation, and delivery (including demurrage and terminal charges)” are substituted for “all charges on those goods for freight, storage, demurrage and terminal charges . . . and all other charges incurred in transportation and delivery” as being inclusive and to conform to section 7–307 of the Uniform Commercial Code. In clause (2), the words “other charges for which the bill expressly specifies a lien” are substituted for “unless the bill expressly enumerates other charges for which a lien . . . In such case there shall also be a lien for the charges enumerated” for clarity.

.....

§ 80110. Duty to deliver goods

(a) General Rules.— Except to the extent a common carrier establishes an excuse provided by law, the carrier must deliver goods covered by a bill of lading on demand of the consignee named in a nonnegotiable bill or the holder of a negotiable bill for the goods when the consignee or holder—

- (1) offers in good faith to satisfy the lien of the carrier on the goods;
- (2) has possession of the bill and, if a negotiable bill, offers to indorse and give the bill to the carrier; and
- (3) agrees to sign, on delivery of the goods, a receipt for delivery if requested by the carrier.

(b) Persons to Whom Goods May Be Delivered.— Subject to section 80111 of this title, a common carrier may deliver the goods covered by a bill of lading to—

- (1) a person entitled to their possession;
- (2) the consignee named in a nonnegotiable bill; or
- (3) a person in possession of a negotiable bill if—
 - (A) the goods are deliverable to the order of that person; or
 - (B) the bill has been indorsed to that person or in blank by the consignee or another indorsee.

(c) Common Carrier Claims of Title and Possession.— A claim by a common carrier that the carrier has title to goods or right to their possession is an excuse for nondelivery of the goods only if the title or right is derived from—

- (1) a transfer made by the consignor or consignee after the shipment; or
- (2) the carrier’s lien.

(d) Adverse Claims.— If a person other than the consignee or the person in possession of a bill of lading claims title to or possession of goods and the common carrier knows of the claim, the carrier is not required to deliver the goods to any claimant until the carrier has had a reasonable time to decide the validity of the adverse claim or to bring a civil action to require all claimants to interplead.

(e) Interpleader.— If at least 2 persons claim title to or possession of the goods, the common carrier may—

- (1) bring a civil action to interplead all known claimants to the goods; or
- (2) require those claimants to interplead as a defense in an action brought against the carrier for nondelivery.

(f) Third Person Claims Not a Defense.— Except as provided in subsections (b), (d), and (e) of this section, title or a right of a third person is not a defense to an action brought by the consignee of a nonnegotiable bill of lading or by the holder of a negotiable bill against the common carrier for failure to deliver the goods on demand unless enforced by legal process.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1349.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80110(a)		
49 App.:88.		
Aug. 29, 1916, ch. 415, §§ 8, 9, 16–19, 39 Stat. 539, 541.		
80110(b)		
49 App.:89.		
80110(c)		
49 App.:96.		
80110(d)		
49 App.:98.		
80110(e)		
49 App.:97.		
80110(f)		
49 App.:99.		

In subsection (a), before clause (1), the words “Except to the extent a common carrier establishes an excuse provided by law” are substituted for “in the absence of some lawful excuse” and “In case the carrier refuses or fails to deliver the goods, in compliance with a demand by the consignee or holder so accompanied, the burden shall be upon the carrier to establish the existence of a lawful excuse for such refusal or failure” for clarity and to eliminate unnecessary words. The word “must” is substituted for “is bound to” for clarity. The words “if such a demand is accompanied by” are omitted as unnecessary because of the restatement. In clause (1), the word “lawful” is omitted as unnecessary because of the restatement. In clause (2), the word “properly” is omitted as surplus. In clause (3), the word “agrees” is substituted for “A readiness and willingness” for clarity. The word “receipt” is substituted for “acknowledgment” for consistency. The words “if such signature” are omitted as unnecessary.

In subsection (b), before clause (1), the word “may” is substituted for “is justified . . . in” because it is more accurate. In clause (1), the word “entitled” is substituted for “lawfully entitled” to eliminate an unnecessary word. In clause (3), before subclause (A), the word “if” is substituted for “by the terms of which” for clarity. In subclause (B), the words “another indorsee” are substituted for “by the mediate or immediate indorsee of the consignee” as being inclusive.

In subsection (c), before clause (1), the words “for his own benefit” are omitted as surplus. The words “nondelivery of” are substituted for “refusing to deliver” because they are more accurate. The words “according to the terms of a bill issued for them” are omitted as unnecessary. In clause (1), the words “directly or indirectly” are omitted as unnecessary.

In subsection (d), the word “person” is substituted for “someone” for consistency in this chapter. The words “claims title” are substituted for “has a claim to the title” for consistency. The words “is not required to” are substituted for “shall be excused from liability for refusing to” for clarity. The words “any claimant” are substituted for “either to the consignee or person in possession of the bill or to the adverse claimant” to eliminate unnecessary words. The words “civil action” are substituted for “legal proceedings” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.).

In subsection (e), before clause (1), the words “at least 2” are substituted for “more than one” for consistency in the revised title and with other titles of the United States Code. In clause (1), the words “civil action” are substituted for “an original suit” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “whichever is appropriate” are omitted as unnecessary.

.....

§ 80111. Liability for delivery of goods

(a) General Rules.— A common carrier is liable for damages to a person having title to, or right to possession of, goods when—

- (1) the carrier delivers the goods to a person not entitled to their possession unless the delivery is authorized under section 80110 (b)(2) or (3) of this title;
- (2) the carrier makes a delivery under section 80110 (b)(2) or (3) of this title after being requested by or for a person having title to, or right to possession of, the goods not to make the delivery; or
- (3) at the time of delivery under section 80110 (b)(2) or (3) of this title, the carrier has information it is delivering the goods to a person not entitled to their possession.

(b) Effectiveness of Request or Information.— A request or information is effective under subsection (a)(2) or (3) of this section only if—

- (1) an officer or agent of the carrier, whose actual or apparent authority includes acting on the request or information, has been given the request or information; and
- (2) the officer or agent has had time, exercising reasonable diligence, to stop delivery of the goods.

(c) Failure To Take and Cancel Bills.— Except as provided in subsection (d) of this section, if a common carrier delivers goods for which a negotiable bill of lading has been issued without taking and canceling the bill, the carrier is liable for damages for failure to deliver the goods to a person purchasing the bill for value in good faith whether the purchase was before or after delivery and even when delivery was made to the person entitled to the goods. The carrier also is liable under this paragraph if part of the goods are delivered without taking and canceling the bill or plainly noting on the bill that a partial delivery was made and generally describing the goods or the remaining goods kept by the carrier.

(d) Exceptions to Liability.— A common carrier is not liable for failure to deliver goods to the consignee or owner of the goods or a holder of the bill if—

- (1) a delivery described in subsection (c) of this section was compelled by legal process;
- (2) the goods have been sold lawfully to satisfy the carrier’s lien;
- (3) the goods have not been claimed; or
- (4) the goods are perishable or hazardous.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1350.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80111(a)		
49 App.:90 (less last par.).		
Aug. 29, 1916, ch. 415, §§ 10–12, 26, 39 Stat. 540, 542.		
80111(b)		
49 App.:90 (last par.).		
80111(c)		
49 App.:91 (words after 2d comma).		
	49 App.:92 (words after 2d comma).	
80111(d)		
49 App.:91 (words before 2d comma).		
	49 App.:92 (words before 2d comma).	
	49 App.:106.	

TITLE 49 - Section 80112 - Liability under negotiable bills issued in parts, sets, or d...

NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

In subsection (a), before clause (1), the word “title” is substituted for “right of property” for consistency in this chapter.

In subsection (c), the words “negotiable bill of lading” are substituted for “order bill . . . the negotiation of which would transfer the right to the possession of the goods” in 49 App.:91 for consistency in this chapter.

.....

§ 80112. Liability under negotiable bills issued in parts, sets, or duplicates

(a) Parts and Sets.— A negotiable bill of lading issued in a State for the transportation of goods to a place in the 48 contiguous States or the District of Columbia may not be issued in parts or sets. A common carrier issuing a bill in violation of this subsection is liable for damages for failure to deliver the goods to a purchaser of one part for value in good faith even though the purchase occurred after the carrier delivered the goods to a holder of one of the other parts.

(b) Duplicates.— When at least 2 negotiable bills of lading are issued in a State for the same goods to be transported to a place in the 48 contiguous States or the District of Columbia, the word “duplicate” or another word indicating that the bill is not an original must be put plainly on the face of each bill except the original. A common carrier violating this subsection is liable for damages caused by the violation to a purchaser of the bill for value in good faith as an original bill even though the purchase occurred after the carrier delivered the goods to the holder of the original bill.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1351.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80112(a)		
49 App.:84.		
Aug. 29, 1916, ch. 415, §§ 4, 5, 39 Stat. 539.		
80112(b)		
49 App.:85.		

In this section, the words “48 contiguous States or the District of Columbia” are substituted for “United States on the Continent of North America, except Alaska and Panama” and the text of 49 App.:84 (proviso) and 85 (proviso) for clarity.

In subsection (a), the words “If so issued” and “described therein” are omitted as surplus. The word “occurred” is added for clarity.

.....

§ 80113. Liability for nonreceipt, misdescription, and improper loading

(a) Liability for Nonreceipt and Misdescription.— Except as provided in this section, a common carrier issuing a bill of lading is liable for damages caused by nonreceipt by the carrier of any part of the goods by the date shown in the bill or by failure of the goods to correspond with the description contained in the bill. The carrier is liable to the owner of goods transported under a nonnegotiable bill (subject to the right of stoppage in transit) or to the holder of a negotiable bill if the owner or holder gave value in good faith relying on the description of the goods in the bill or on the shipment being made on the date shown in the bill.

(b) Nonliability of Carriers.— A common carrier issuing a bill of lading is not liable under subsection (a) of this section—

- (1) when the goods are loaded by the shipper;
- (2) when the bill—

TITLE 49 - Section 80113 - Liability for nonreceipt, misdescription, and improper loadi...

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- (A) describes the goods in terms of marks or labels, or in a statement about kind, quantity, or condition; or
- (B) is qualified by “contents or condition of contents of packages unknown”, “said to contain”, “shipper’s weight, load, and count”, or words of the same meaning; and
- (3) to the extent the carrier does not know whether any part of the goods were received or conform to the description.
- (c) **Liability for Improper Loading.**— A common carrier issuing a bill of lading is not liable for damages caused by improper loading if—
- (1) the shipper loads the goods; and
- (2) the bill contains the words “shipper’s weight, load, and count”, or words of the same meaning indicating the shipper loaded the goods.
- (d) **Carrier’s Duty To Determine Kind, Quantity, and Number.**—
- (1) When bulk freight is loaded by a shipper that makes available to the common carrier adequate facilities for weighing the freight, the carrier must determine the kind and quantity of the freight within a reasonable time after receiving the written request of the shipper to make the determination. In that situation, inserting the words “shipper’s weight” or words of the same meaning in the bill of lading has no effect.
- (2) When goods are loaded by a common carrier, the carrier must count the packages of goods, if package freight, and determine the kind and quantity, if bulk freight. In that situation, inserting in the bill of lading or in a notice, receipt, contract, rule, or tariff, the words “shipper’s weight, load, and count” or words indicating that the shipper described and loaded the goods, has no effect except for freight concealed by packages.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1351.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80113(a)		
49 App.:102.		
Aug. 29, 1916, ch. 415, § 22, 39 Stat. 542; restated Mar. 4, 1927, ch. 510, § 6, 44 Stat. 1450.		
80113(b)		
49 App.:101 (1st sentence).		
Aug. 29, 1916, ch. 415, §§ 20, 21, 39 Stat. 541.		
80113(c)		
49 App.:101 (last sentence words before proviso).		
80113(d)(1)		
49 App.:101 (last sentence proviso).		
80113(d)(2)		
49 App.:100.		

In subsection (a), the words “a common carrier issuing a bill of lading” are substituted for “If a bill of lading has been issued by a carrier or on his behalf by an agent or employee the scope of whose actual or apparent authority includes the receiving of goods and issuing bills of lading therefor for transportation in commerce among the several States and with foreign nations” to eliminate unnecessary words and for consistency with section 80102 of the revised title. The words “at the time of its issue” are omitted as surplus.

In subsection (b), before clause (1), the words “A common carrier issuing a bill of lading is not liable under subsection (a) of this section” are substituted for “such statements, if true, shall not make liable the carrier issuing the bill of lading” for clarity. In clause (1), the word “goods” is substituted for “package freight or bulk freight” for consistency in this chapter. In clause (2)(B), the quoted words are placed in quotation marks

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for consistency and to conform to section 7–301 of the Uniform Commercial Code. The words “ ‘shipper’s weight, load, and count’ ” are added for consistency in this section.

In subsection (d)(1), the words “makes available to the common carrier adequate facilities for weighing the freight” are substituted for “installs and maintains adequate facilities for weighing such freight, and the same are available to the carrier . . . when given a reasonable opportunity so to do” to eliminate unnecessary words. The words “In that situation, inserting the words ‘shipper’s weight’ or other words of the same meaning in the bill of lading has no effect” are substituted for “and the carriers shall not in such cases insert in the bill of lading the words ‘Shipper’s weight’, or other words of like purport, and if so inserted contrary to the provisions of this section, said words shall be treated as null and void and as if not inserted therein” for clarity and to eliminate unnecessary words.

In subsection (d)(2), the words “and such carrier shall not, in such cases” are omitted as surplus. The words “In that situation . . . has no effect” are substituted for 49 App.:100 (last sentence) for clarity and to eliminate unnecessary words. The words “except for freight concealed by packages” are substituted for “or in case of bulk freight and freight not concealed by packages the description made by him” for clarity and to eliminate unnecessary words.

.....

§ 80114. Lost, stolen, and destroyed negotiable bills

(a) Delivery on Court Order and Surety Bond.— If a negotiable bill of lading is lost, stolen, or destroyed, a court of competent jurisdiction may order the common carrier to deliver the goods if the person claiming the goods gives a surety bond, in an amount approved by the court, to indemnify the carrier or a person injured by delivery against liability under the outstanding original bill. The court also may order payment of reasonable costs and attorney’s fees to the carrier. A voluntary surety bond, without court order, is binding on the parties to the bond.

(b) Liability to Holder.— Delivery of goods under a court order under subsection (a) of this section does not relieve a common carrier from liability to a person to whom the negotiable bill has been or is negotiated for value without notice of the court proceeding or of the delivery of the goods.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1352.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80114(a)		
49 App.:94 (1st par.).		
Aug. 29, 1916, ch. 415, § 14, 39 Stat. 540.		
80114(b)		
49 App.:94 (last par.).		

In subsection (a), the word “If” is substituted for “Where” for clarity. The words “upon satisfactory proof of such loss, theft, or destruction” are omitted as unnecessary. The words “if the person claiming the goods gives a surety bond” are substituted for “and upon the giving of a bond, with sufficient surety” to clarify the condition precedent to court approval of delivery. The words “in an amount” are added for clarity. The word “indemnify” is substituted for “protect” because it is more accurate. The words “against liability under the outstanding original bill” are substituted for “from any liability or loss incurred by reason of the original bill remaining outstanding” for clarity. The words “surety bond” are substituted for “indemnifying bond” for consistency in this section.

.....

§ 80115. Limitation on use of judicial process to obtain possession of goods from common carriers

(a) Attachment and Levy.— Except when a negotiable bill of lading was issued originally on delivery of goods by a person that did not have the power to dispose of the goods, goods in the possession of a common carrier for which a negotiable bill has been issued may be attached through judicial process or levied on in execution of a judgment only if the bill is surrendered to the carrier or its negotiation is enjoined.

(b) Delivery.— A common carrier may be compelled by judicial process to deliver goods under subsection (a) of this section only when the bill is surrendered to the carrier or impounded by the court.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1353.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80115(a)		
49 App.:103 (1st sentence).		
Aug. 29, 1916, ch. 415, § 23, 39 Stat. 542.		
80115(b)		
49 App.:103 (last sentence).		

In subsection (a), the words “Except when a negotiable bill of lading was issued originally on delivery of goods by a person that did not have the power to dispose of the goods, goods . . . may be attached . . . only if” are substituted for “If goods are delivered to a carrier by the owner or by a person whose act in conveying the title to them to a purchaser for value in good faith would bind the owner . . . they can not thereafter . . . be attached . . . unless” to restate the source provision as an exception to conform to section 7–602 of the Uniform Commercial Code. The words “through judicial process” are substituted for “by garnishment or otherwise”, and the words “levied on in execution of a judgment” are substituted for “levied upon under an execution”, for clarity.

.....

§ 80116. Criminal penalty

A person shall be fined under title 18, imprisoned for not more than 5 years, or both, if the person—

- (1) violates this chapter with intent to defraud; or
- (2) knowingly or with intent to defraud—
 - (A) falsely makes, alters, or copies a bill of lading subject to this chapter;
 - (B) utters, publishes, or issues a falsely made, altered, or copied bill subject to this chapter; or
 - (C) negotiates or transfers for value a bill containing a false statement.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1353.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80116		
49 App.:121.		
Aug. 29, 1916, ch. 415, § 41, 39 Stat. 544.		

In this section, before clause (1), the words “fined under title 18” are substituted for “a fine not exceeding \$5,000”, and the words “shall be guilty of a misdemeanor” are omitted, for consistency with title 18.

TITLE 49 - SUBTITLE X - CHAPTER 803 CONTRABAND

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The words “upon conviction . . . punished for each offense” are omitted as unnecessary because of the restatement. Clause (1) is substituted for “or who, with intent to defraud, violates, or fails to comply with, or aids in any violation of, or failure to comply with any provision of this chapter” for clarity and because of 18:2. In clause (2)(A), the words “forges, counterfeits” are omitted as being included in “makes”. The word “copies” is substituted for “prints or photographs” for clarity. The words “bill of lading subject to this chapter” are substituted for “bill of lading purporting to represent goods received for shipment among the several States or with foreign nations” for clarity and for consistency with section 80102 of the revised title. Clause (2)(B) is substituted for “utters or publishes as true and genuine any such falsely altered, forged, counterfeited, falsely printed or photographed bill of lading . . . or issues” to eliminate unnecessary words and for consistency in this section. The words “knowing it to be falsely altered, forged, counterfeited, falsely printed or photographed” are omitted as unnecessary because of the restatement of the intent required to commit the crime. The words “or aids in making, altering, forging, counterfeiting, printing or photographing, or uttering or publishing the same . . . or aids in issuing or procuring the issue of” are omitted as surplus because of 18:2. The words “as to the receipt of the goods, or as to any other matter” are omitted as unnecessary.

CHAPTER 803—CONTRABAND

Sec.

- 80301. Definitions.
- 80302. Prohibitions.
- 80303. Seizure and forfeiture.
- 80304. Administrative.
- 80305. Availability of certain appropriations.
- 80306. Relationship to other laws.

.....

§ 80301. Definitions

In this chapter—

- (1) “aircraft” means a contrivance used, or capable of being used, for transportation in the air.
- (2) “vehicle” means a contrivance used, or capable of being used, for transportation on, below, or above land, but does not include aircraft.
- (3) “vessel” means a contrivance used, or capable of being used, for transportation in water, but does not include aircraft.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1353.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80301(1)		
49 App.:787(c).		
Aug. 9, 1939, ch. 618, § 7(a)–(c), 53 Stat. 1292.		
80301(2)		
49 App.:787(b).		
80301(3)		
49 App.:787(a).		

In this section, the word “means” is substituted for “includes” as being more precise.

In clause (1), the word “contrivance” is substituted for “every description of craft or carriage or other contrivance” to eliminate unnecessary words.

In clause (2), the word “contrivance” is substituted for “every description of carriage or other contrivance” to eliminate unnecessary words.

In clause (3), the word “contrivance” is substituted for “every description of watercraft or other contrivance” to eliminate unnecessary words.

.....

§ 80302. Prohibitions

(a) **Definition.**— In this section, “contraband” means—

- (1) a narcotic drug (as defined in section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802)), including marihuana (as defined in section 102 of that Act (21 U.S.C. 802)), that—

- (A) is possessed with intent to sell or offer for sale in violation of the laws and regulations of the United States;
- (B) is acquired, possessed, sold, transferred, or offered for sale in violation of those laws;
- (C) is acquired by theft, robbery, or burglary and transported—

TITLE 49 - Section 80302 - Prohibitions

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- (i) in the District of Columbia or a territory or possession of the United States; or
 - (ii) from a place in a State, the District of Columbia, or a territory or possession of the United States, to a place in another State, the District of Columbia, or a territory or possession; or
- (D) does not bear tax-paid internal revenue stamps required by those laws or regulations;
- (2) a firearm involved in a violation of chapter 53 of the Internal Revenue Code of 1986 (26 U.S.C. 5801 et seq.);
 - (3) a forged, altered, or counterfeit—
 - (A) coin or an obligation or other security of the United States Government (as defined in section 8 of title 18); or
 - (B) coin, obligation, or other security of the government of a foreign country;
 - (4) material or equipment used, or intended to be used, in making a coin, obligation, or other security referred to in clause (3) of this subsection;
 - (5) a cigarette involved in a violation of chapter 114 of title 18 or a regulation prescribed under chapter 114; or
 - (6)
 - (A) a counterfeit label for a phonorecord, copy of a computer program or computer program documentation or packaging, or copy of a motion picture or other audiovisual work (as defined in section 2318 of title 18);
 - (B) a phonorecord or copy in violation of section 2319 of title 18;
 - (C) a fixation of a sound recording or music video of a live musical performance in violation of section 2319A of title 18; or
 - (D) any good bearing a counterfeit mark (as defined in section 2320 of title 18).
- (b) **Prohibitions.**— A person may not—
- (1) transport contraband in an aircraft, vehicle, or vessel;
 - (2) conceal or possess contraband on an aircraft, vehicle, or vessel; or
 - (3) use an aircraft, vehicle, or vessel to facilitate the transportation, concealment, receipt, possession, purchase, sale, exchange, or giving away of contraband.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1353; Pub. L. 104–153, § 13, July 2, 1996, 110 Stat. 1389.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80302(a)(1)		
49 App.:781(b)(1).		
Aug. 9, 1939, ch. 618, § 1(b)(1), 53 Stat. 1291; restated Aug. 9, 1950, ch. 655, 64 Stat. 427.		
	49 App.:787(d).	
Aug. 9, 1939, ch. 618, § 7(d), 53 Stat. 1293; restated Oct. 27, 1970, Pub. L. 91–513, § 1102(r), 84 Stat. 1294.		
80302(a)(2)		
49 App.:781(b)(2).		
Aug. 9, 1939, ch. 618, § 1(b)(2), (3), 53 Stat. 1291; Nov. 2, 1978, Pub. L. 95–575, § 3(a)(1), (2), 92 Stat. 2465.		
	49 App.:787(e).	
Aug. 9, 1939, ch. 618, § 7(e), 53 Stat. 1293; Nov. 2, 1978, Pub. L. 95–575, § 3(b)(1), 92 Stat. 2465.		
80302(a)(3)		

TITLE 49 - Section 80303 - Seizure and forfeiture

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
49 App.:781(b)(3) (words before 1st semicolon).		
	49 App.:787(f).	
Aug. 9, 1939, ch. 618, § 7(f), 53 Stat. 1293; restated Oct. 31, 1951, ch. 655, § 55(b), 65 Stat. 729; Nov. 2, 1978, Pub. L. 95-575, § 3(b)(2), 92 Stat. 2465.		
80302(a)(4)		
49 App.:781(b)(3) (words after 1st semicolon).		
80302(a)(5)		
49 App.:781(b)(4).		
Aug. 9, 1939, ch. 618, 53 Stat. 1291, §§ 1(b)(4), 7(g); added Nov. 2, 1978, Pub. L. 95-575, § 3(a)(3), (b)(3), 92 Stat. 2465.		
	49 App.:787(g).	
80302(b)		
49 App.:781(a).		
Aug. 9, 1939, ch. 618, § 1(a), 53 Stat. 1291.		

In subsection (a)(1)(A) and (B), the words “dealing therewith” are omitted as surplus.

In subsection (a)(1)(A), the words “has been or” are omitted as surplus.

In subsection (a)(1)(C), before subclause (i), the word “transported” is substituted for “carried or transported” to eliminate unnecessary words. In subclause (ii), the words “the Canal Zone” are omitted because of the Panama Canal Treaty of 1977. The words “a place in” are added for consistency in the revised title.

In subsection (a)(2), the words “involved in a violation” are substituted for “with respect to which there has been committed any violation” to eliminate unnecessary words. The text of 49 App.:787(e) is omitted as unnecessary because of the restatement. The National Firearms Act referred to in the source provisions has been repealed and replaced by chapter 53 of the Internal Revenue Code of 1986 (26 U.S.C. 5801 et seq.).

In subsection (a)(3), before subclause (A), the words “falsely made” are omitted as being included in “counterfeit”. In subclause (B), the words “coin, obligation, or other security” are added for clarity.

In subsection (a)(4), the words “equipment used” are substituted for “apparatus, or paraphernalia fitted . . . which shall have been used” to eliminate unnecessary words. The words “coin, obligation, or other security referred to in clause (3) of this subsection” are substituted for “such falsely made, forged, altered, or counterfeit coin or obligation or other security” because of the restatement.

In subsection (a)(5), the text of 49 App.:787(g) is omitted as unnecessary because the term “cigarettes” does not appear in 49 App.: ch. 11 and because the definition of “contraband cigarettes” referred to is part of 18:ch. 114.

In subsection (b), before clause (1), the words “A person may not” are substituted for “It shall be unlawful” for consistency in the revised title. In clause (1), the word “transport” is substituted for “transport, carry, or convey” because it is inclusive. In clause (2), the words “or upon the person of anyone in or upon any vessel, vehicle, or aircraft” are omitted as unnecessary. In clause (3), the word “transportation” is substituted for “transportation, carriage, conveyance” for consistency in this section. The word “barter” is omitted as being included in “exchange”.

Amendments

1996—Subsec. (a)(6). Pub. L. 104-153 added par. (6).

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§ 80303. Seizure and forfeiture

The Secretary of the Treasury or the Governor of Guam or of the Northern Mariana Islands as provided in section 80304 of this title, or, when the violation of this chapter involves contraband described in paragraph (2) or (5) of section 80302 (a), the Attorney General or a person authorized by another law to enforce section 80302 of this title, shall seize an aircraft, vehicle, or vessel involved in a violation of section 80302 and place it in the custody of a person designated by the Secretary, the Attorney General, or appropriate Governor, as the case may be. The seized aircraft, vehicle, or vessel shall be forfeited, except when the owner establishes that a person except the owner committed the violation when the aircraft, vehicle, or vessel was in the possession of a person who got possession by violating a criminal law of the United States or a State. However, an aircraft, vehicle, or vessel used by a common carrier to provide transportation for compensation may be forfeited only when—

- (1) the owner, conductor, driver, pilot, or other individual in charge of the aircraft or vehicle (except a rail car or engine) consents to, or knows of, the alleged violation when the violation occurs;
- (2) the owner of the rail car or engine consents to, or knows of, the alleged violation when the violation occurs; or
- (3) the master or owner of the vessel consents to, or knows of, the alleged violation when the violation occurs.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1354; Pub. L. 107–296, title XI, § 1112(q), Nov. 25, 2002, 116 Stat. 2278.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80303		
49 App.:782.		
Aug. 9, 1939, ch. 618, § 2, 53 Stat. 1291; Nov. 18, 1988, Pub. L. 100–690, § 6076(a), 102 Stat. 4324.		
	49 App.:783 (last sentence).	
Aug. 9, 1939, ch. 318, § 3 (last sentence), 53 Stat. 1292.		

In this section, before clause (1), the words “The Secretary of the Treasury . . . shall seize” are substituted for “shall be seized” in 49 App.:782 and “It shall be the duty of any officer, agent, or other person so authorized or designated . . . whenever he shall discover any vessel, vehicle, or aircraft” in 49 App.:783 (last sentence) to eliminate unnecessary words and for consistency in the revised title. The words “the Governor of Guam or of the Northern Mariana Islands as provided in section 80304 of this title” are added because under 49 App.:789 the Governor of Guam enforces 49 App.:ch. 11 in Guam and because, under section 502(a)(2) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, as enacted by the Act of March 24, 1976 (Public Law 94–241, 90 Stat. 263), and proclaimed to be in effect by the President on January 9, 1978 (Proc. No. 4534, Oct. 24, 1977, 42 F.R. 56593, 48 U.S.C. 1681 (note)), the Commonwealth was given the same authority as Guam when a law applies to Guam and the States of the United States generally. The words “or a person authorized by another law to enforce section 80302 of this title” are substituted for “or authorized by law” for clarity. The words “involved in a violation of section 80302” are substituted for “which has been or is being used in violation of any provision of section 781 of this Appendix, or in, upon, or by means of which any violation of said section has taken or is taking place” in 49 App.:782 and “which has been or is being used in violation of any of the provisions of this chapter, or in, upon, or by means of which any violation of

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this chapter has taken or is taking place” in 49 App.:783 (last sentence) to eliminate unnecessary words. The word “designated” is substituted for “authorized or designated” in 49 App.:783 (last sentence) to eliminate unnecessary words. The words “or appropriate Governor, as the case may be” are added for clarity and for consistency in this section. The words “to await disposition pursuant to the provisions of this chapter and any regulations issued hereunder” are omitted as unnecessary. The words “except when . . . committed the violation” are substituted for “Provided further, That no vessel, vehicle, or aircraft shall be forfeited under the provisions of this chapter by reason of any act or omission . . . committed or omitted” in 49 App.:782 for clarity. The words “However . . . used by a common carrier to provide transportation for compensation may be forfeited only when” are substituted for “Provided, That no . . . used by any person as a common carrier in the transaction of business as such common carrier shall be forfeited under the provisions of this chapter unless it shall appear that” for clarity and consistency in the revised title. In clauses (1)–(3), the words “knows of” are substituted for “privity thereto” for clarity. The word “violation” is substituted for “illegal act” for consistency in the revised title and with other titles of the United States Code.

References in Text

The criminal laws of the United States, referred to in text, are classified generally to Title 18, Crimes and Criminal Procedure.

Amendments

2002—Pub. L. 107–296, § 1112(q)(2), inserted “, the Attorney General,” after “by the Secretary” in introductory provisions.

Pub. L. 107–296, § 1112(q)(1), which directed amendment of this section by inserting “or, when the violation of this chapter involves contraband described in paragraph (2) or (5) of section 80302 (a), the Attorney General” after “section 80304 of this title.”, was executed by making the insertion after “section 80304 of this title,” to reflect the probable intent of Congress.

Effective Date of 2002 Amendment

Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

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§ 80304. Administrative

- (a) **General.**— Except as provided in subsections (b), (c), and (d) of this section, the Secretary of the Treasury—
 - (1) may designate officers, employees, agents, or other persons to carry out this chapter; and
 - (2) shall prescribe regulations to carry out this chapter.
- (b) **In Guam.**— The Governor of Guam—
 - (1) or officers of the government of Guam designated by the Governor shall carry out this chapter in Guam;
 - (2) may carry out laws referred to in section 80306 (b) of this title with modifications the Governor decides are necessary to meet conditions in Guam; and
 - (3) may prescribe regulations to carry out this chapter in Guam.
- (c) **In Northern Mariana Islands.**— The Governor of the Northern Mariana Islands—
 - (1) or officers of the government of the Northern Mariana Islands designated by the Governor shall carry out this chapter in the Northern Mariana Islands;
 - (2) may carry out laws referred to in section 80306 (b) of this title with modifications the Governor decides are necessary to meet conditions in the Northern Mariana Islands; and
 - (3) may prescribe regulations to carry out this chapter in the Northern Mariana Islands.
- (d) **Attorney General.**— The Attorney General, or officers, employees, or agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice¹ designated by the Attorney

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General, shall carry out the laws referred to in section 80306 (b) of this title to the extent that the violation of this chapter involves contraband described in section 80302 (a)(2) or (a)(5).

(e) Customs Laws on Seizure and Forfeiture.— The Secretary, or the Governor of Guam or of the Northern Mariana Islands as provided in subsections (b) and (c) of this section, shall carry out the customs laws on the seizure and forfeiture of aircraft, vehicles, and vessels under this chapter.

Footnotes

¹ So in original. Probably should be followed by a comma.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1354; Pub. L. 107–296, title XI, § 1112(r), Nov. 25, 2002, 116 Stat. 2278.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80304(a)		
49 App.:783 (1st sentence).		
Aug. 9, 1939, ch. 618, §§ 3 (1st sentence), 4 (proviso), 8, 53 Stat. 1292, 1293.		
	49 App.:788.	
80304(b)		
49 App.:789.		
Aug. 3, 1939, ch. 618, 53 Stat. 1291, § 9; added Aug. 1, 1956, ch. 852, § 22, 70 Stat. 911.		
80304(c)		
(no source).		
80304(d)		
49 App.:784 (proviso).		

In subsection (a)(1), the words “may designate” are substituted for “is empowered to authorize, or designate” in 49 App.:783 (1st sentence) to eliminate unnecessary words. The word “employees” is added for clarity and consistency in the revised title and with other titles of the United States Code.

In subsections (a)(2) and (b)(3), the word “regulations” is substituted for “such rules and regulations as may be necessary” in 49 App.:788 and 789 for consistency in the revised title and with other titles of the Code and because “rules” and “regulations” are synonymous.

In subsection (b)(1), the words “shall carry out this chapter in Guam” are substituted for “In Guam the enforcement and administration of this chapter shall be performed” for consistency in the revised title.

Subsection (c) is added because, under section 502(a)(2) of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, as enacted by the Act of March 24, 1976 (Public Law 94–241, 90 Stat. 263), and proclaimed to be in effect by the President on January 9, 1978 (Proc. No. 4534, Oct. 24, 1977, 42 F.R. 56593, 48 U.S.C. 1681 (note)), the Commonwealth was given the same authority as Guam when a law applies to Guam and the States of the United States generally.

In subsection (d), the word “Secretary” is substituted for “by such officers, agents, or other persons as may be authorized or designated for that purpose by the Secretary of the Treasury” because of subsection (a)(1) of this section. The words “or the Governor of Guam or of the Northern Mariana Islands as provided in subsections (b) and (c) of this section” are added because under 49 App.:789 the Governor of Guam enforces 49 App.:ch. 11 in Guam and because of section 502(a)(2) of the Covenant referred to in the revision note for subsection (c) of this section. The words “the customs laws” are substituted for “That such duties as

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are imposed upon the collector of customs or any other person with respect to the seizure and forfeiture of vessels and vehicles under the customs laws” because of the restatement and to eliminate unnecessary words.

References in Text

The customs laws, referred to in subsec. (e), are classified generally to Title 19, Customs Duties.

Amendments

2002—Subsec. (a). Pub. L. 107–296, § 1112(r)(1), substituted “(b), (c), and (d)” for “(b) and (c)” in introductory provisions.

Subsecs. (d), (e). Pub. L. 107–296, § 1112(r)(2), (3), added subsec. (d) and redesignated former subsec. (d) as (e).

Effective Date of 2002 Amendment

Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

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§ 80305. Availability of certain appropriations

Appropriations for enforcing customs, narcotics, counterfeiting, or internal revenue laws are available to carry out this chapter.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1355.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80305		
49 App.:785.		
		Aug. 9, 1939, ch. 618, § 5, 53 Stat. 1292.

The words “which has been or shall hereafter be made” and “for the defraying of expenses of” are omitted as surplus. The National Firearms Act referred to in the source provision has been repealed and replaced by chapter 53 of the Internal Revenue Code of 1986 (26 U.S.C. 5801 et seq.). A specific reference to chapter 53 is unnecessary because of the reference to the internal revenue laws.

References in Text

The customs laws, referred to in text, are classified generally to Title 19, Customs Duties.

The internal revenue laws, referred to in text, are classified generally to Title 26, Internal Revenue Code.

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§ 80306. Relationship to other laws

- (a) **Chapter as Additional Law.**— This chapter is in addition to another law—
 - (1) imposing, or authorizing the compromise of, fines, penalties, or forfeitures; or
 - (2) providing for seizure, condemnation, or disposition of forfeited property, or the proceeds from the property.
- (b) **Laws Applicable to Seizures and Forfeitures.**— To the extent applicable and consistent with this chapter, the following apply to a seizure or forfeiture under this chapter:
 - (1) provisions of law related to the seizure, forfeiture, and condemnation of vehicles and vessels violating the customs laws.
 - (2) provisions of law related to the disposition of those vehicles or vessels or the proceeds from the sale of those vehicles or vessels.

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(3) provisions of law related to the compromise of those forfeitures or claims related to those forfeitures.

(4) provisions of law related to the award of compensation to an informer about those forfeitures.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1355.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80306(a)		
49 App.:786.		
Aug. 9, 1939, ch. 618, §§ 4 (less proviso), 6, 53 Stat. 1292.		
80306(b)		
49 App.:784 (less proviso).		

In subsections (a)(1) and (b)(3), the word “compromise” is substituted for “remission or mitigation” for consistency in the revised title.

In subsection (a), before clause (1), the words “in addition to another law” are substituted for “shall be construed to be supplemental to, and not to impair in any way, existing provisions of law” to eliminate unnecessary words.

In subsection (b), before clause (1), the words “under this chapter” are substituted for “incurred, or alleged to have been incurred, under the provisions of this chapter” to eliminate unnecessary words. In clause (1), the word “forfeiture” is substituted for “summary and judicial forfeiture” to eliminate unnecessary words.

References in Text

The customs laws, referred to in subsec. (b)(1), are classified generally to Title 19, Customs Duties.

CHAPTER 805—MISCELLANEOUS

Sec.

80501. Damage to transported property.

80502. Transportation of animals.

80503. Payments for inspection and quarantine services.

80504. Medals of honor.

.....

§ 80501. Damage to transported property

(a) **Criminal Penalty.**— A person willfully damaging, or attempting to damage, property in the possession of an air carrier, motor carrier, or rail carrier and being transported in interstate or foreign commerce, shall be fined under title 18, imprisoned for not more than 10 years, or both. In a criminal proceeding under this section, a shipping document for the property is prima facie evidence of the places to which and from which the property was being transported.

(b) **Prohibition Against Multiple Prosecutions for Same Act.**— A person may not be prosecuted for an act under this section when the person has been convicted or acquitted on the merits for the same act under the laws of a State, the District of Columbia, or a territory or possession of the United States.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1356.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80501(a)		
15:1281.		
Sept. 13, 1961, Pub. L. 87–221, 75 Stat. 494.		
80501(b)		
15:1282.		

In subsection (a), the words “A person . . . shall be fined under title 18” are substituted for “It shall be unlawful for any person” and “Whoever violates any provision of subsection (a) of this section shall be fined not more than \$5,000” to eliminate unnecessary words and for consistency with title 18. The word “damaging” is substituted for “destroy or injure” because it is inclusive. The words “air carrier, motor carrier, or rail carrier” are substituted for “common or contract carrier by railroad, motor vehicle, or aircraft”, and the words “being transported” are substituted for “moving”, for consistency in the revised title. The words “In a criminal proceeding under this section” are substituted for “To establish the interstate or foreign commerce character of any property involved in any prosecution under this section” to eliminate unnecessary words. The words “shipping document” are substituted for “waybill or similar shipping document” because they are inclusive.

In subsection (b), the words “A person may not be prosecuted for an act under this section when the person has been convicted or acquitted on the merits for the same act” are substituted for “A judgment of conviction or acquittal on the merits . . . shall be a bar to any prosecution under this chapter for the same act or acts” for clarity. The word “territory” is added for consistency in the revised title and with other titles of the United States Code. The words “or the Commonwealth of Puerto Rico” are omitted as unnecessary because of 48:734.

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§ 80502. Transportation of animals

(a) **Confinement.**—

(1) Except as provided in this section, a rail carrier, express carrier, or common carrier (except by air or water), a receiver, trustee, or lessee of one of those carriers, or an owner or master of a vessel

TITLE 49 - Section 80502 - Transportation of animals

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transporting animals from a place in a State, the District of Columbia, or a territory or possession of the United States through or to a place in another State, the District of Columbia, or a territory or possession, may not confine animals in a vehicle or vessel for more than 28 consecutive hours without unloading the animals for feeding, water, and rest.

(2) Sheep may be confined for an additional 8 consecutive hours without being unloaded when the 28-hour period of confinement ends at night. Animals may be confined for—

(A) more than 28 hours when the animals cannot be unloaded because of accidental or unavoidable causes that could not have been anticipated or avoided when being careful; and

(B) 36 consecutive hours when the owner or person having custody of animals being transported requests, in writing and separate from a bill of lading or other rail form, that the 28-hour period be extended to 36 hours.

(3) Time spent in loading and unloading animals is not included as part of a period of confinement under this subsection.

(b) Unloading, Feeding, Watering, and Rest.— Animals being transported shall be unloaded in a humane way into pens equipped for feeding, water, and rest for at least 5 consecutive hours. The owner or person having custody of the animals shall feed and water the animals. When the animals are not fed and watered by the owner or person having custody, the rail carrier, express carrier, or common carrier (except by air or water), the receiver, trustee, or lessee of one of those carriers, or the owner or master of a vessel transporting the animals—

(1) shall feed and water the animals at the reasonable expense of the owner or person having custody, except that the owner or shipper may provide food;

(2) has a lien on the animals for providing food, care, and custody that may be collected at the destination in the same way that a transportation charge is collected; and

(3) is not liable for detaining the animals for a reasonable period to comply with subsection (a) of this section.

(c) Nonapplication.— This section does not apply when animals are transported in a vehicle or vessel in which the animals have food, water, space, and an opportunity for rest.

(d) Civil Penalty.— A rail carrier, express carrier, or common carrier (except by air or water), a receiver, trustee, or lessee of one of those carriers, or an owner or master of a vessel that knowingly and willfully violates this section is liable to the United States Government for a civil penalty of at least \$100 but not more than \$500 for each violation. On learning of a violation, the Attorney General shall bring a civil action to collect the penalty in the district court of the United States for the judicial district in which the violation occurred or the defendant resides or does business.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1356.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80502(a)		
45:71 (less 1st sentence 132d–153d words).		
June 29, 1906, ch. 3594, §§ 1–4, 34 Stat. 607.		
80502(b)		
45:71 (1st sentence 132d–153d words).		
	45:72.	
80502(c)		
45:73 (proviso).		
80502(d)		
45:73 (less proviso).		
	45:74.	

In this section, the words “rail carrier, express carrier” are substituted for “railroad, express company, car company” for consistency in the revised title. The word “air” is included in the exception because when the source provision was enacted air carriers did not exist. The words “a vehicle or vessel” are substituted for “cars, boats, or vessels of any description”, and the word “vessel” is substituted for “steam, sailing, or other vessels”, for consistency in the revised title and with other titles of the United States Code.

In subsection (a)(1), the words “transporting animals” are substituted for “whose road forms any part of a line of road over which cattle, sheep, swine, or other animals shall be conveyed” and “carrying or transporting cattle, sheep, swine, or other animals” to eliminate unnecessary words. The word “possession” is added for consistency in the revised title and with other titles of the Code. The words “for feeding, water, and rest” are added because of the restatement.

In subsection (a)(2), before clause (A), the words “Sheep may be confined for an additional 8 consecutive hours without being unloaded when the 28-hour period of confinement ends at night” are substituted for 45:71 (last proviso) for clarity. The words “Animals may be confined for” are added because of the restatement. In clause (A), the words “more than 28 hours when the animals cannot be unloaded because of” are substituted for “unless prevented by” because of the restatement. The word “storm” is omitted as being included in “accidental or unavoidable causes”. The words “when being careful” are substituted for “by the exercise of due diligence and foresight” to eliminate unnecessary words. In clause (B), the words “36 consecutive hours when” are substituted for “Provided, That . . . the time of confinement may be extended to thirty-six hours” because of the restatement. The word “printed” is omitted as surplus.

In subsection (a)(3), the words “but the time during which the animals have been confined without such rest or food or water on connecting roads shall be included, it being the intent of this chapter to prohibit their continuous confinement beyond the period of twenty-eight hours, except upon the contingencies hereinbefore stated” are omitted as unnecessary because of the restatement.

In subsection (b), before clause (1), the word “properly” is omitted as surplus. The words “Animals being transported shall be unloaded” are added because of the restatement. In clause (1), the words “except that the owner or shipper may provide food” are substituted for “but nothing in this section shall be construed to prevent the owner or shipper of animals from furnishing food therefor, if he so desires” for clarity.

In subsection (c), the word “proper” is omitted as surplus.

In subsection (d), the words “liable to the United States Government for a civil penalty” are substituted for “liable for and forfeit and pay a penalty” in 45:73 for consistency in the revised title and with other titles of the Code. The words “On learning of a violation, the Attorney General shall bring a civil action to collect the penalty” are substituted for “The penalty created by section 73 of this title shall be recovered by civil action in the name of the United States” in 45:74 and “and it shall be the duty of United States attorneys to prosecute all violations of this chapter reported by the Secretary of Agriculture, or which come to their notice or knowledge by other means” to eliminate unnecessary words and because of 28:509. The words “in the district court of the United States for the judicial district” are substituted for “in the circuit or district court holden within the district” in section 4 of the Act of June 29, 1906 (ch. 3594, 34 Stat. 608), because of section 291 of the Act of March 3, 1911 (ch. 231, 36 Stat. 1167), and for consistency in the revised title and with other titles of the Code.

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§ 80503. Payments for inspection and quarantine services

(a) General.—

(1) In this subsection—

(A) “private aircraft” means a civilian aircraft not being used to transport passengers or property for compensation.

(B) “private vessel” means a civilian vessel not being used—

(i) to transport passengers or property for compensation; or

TITLE 49 - Section 80503 - Payments for inspection and quarantine services

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(ii) in fishing or fish processing operations.

(2) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451), the owner, operator, or agent of a private aircraft or private vessel may pay not more than \$25 for the services of an officer or employee of the Department of Agriculture, the Customs Service, the Immigration and Naturalization Service, or the Public Health Service (including an independent contractor performing an inspection service for the Public Health Service) when the services are performed on a Sunday, holiday, or from 5 p.m. through 8 a.m. on a weekday, and are related to the aircraft's or vessel's arrival in, or departure from, the United States. However, the owner, operator, or agent does not have to pay for the services from 5 p.m. through 8 a.m. on a weekday when an officer or employee on regular duty is available at the place of arrival or departure to perform services.

(3) The head of a department, agency, or instrumentality of the United States Government providing services under paragraph (2) of this subsection shall collect the amount paid for the services and deposit the amount in the Treasury. The amount shall be credited to the appropriation of the department, agency, or instrumentality against which the expense of those services was charged.

(b) Limitations on Reimbursement.—

(1) An owner or operator of an aircraft is required to reimburse the head of a department, agency, or instrumentality of the Government for the expenses of performing an inspection or quarantine service related to the aircraft at a place of inspection during regular service hours on a Sunday or holiday only to the same extent that an owner or operator makes reimbursement for the service during regular service hours on a weekday. The head of the department, agency, or instrumentality may not assess an owner or operator of an aircraft for administrative overhead expenses for inspection or quarantine service provided by the department, agency, or instrumentality at an entry airport.

(2) This subsection does not require reimbursement for costs incurred by the Secretary of the Treasury in providing customs services described in section 13031(e)(1) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c (e)(1)).

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1357.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80503(a)(1)		
49 App.:1741(d).		
May 21, 1970, Pub. L. 91–258, § 53(a)–(d), 84 Stat. 236.		
80503(a)(2)		
49 App.:1741(a), (b).		
80503(a)(3)		
49 App.:1741(c).		
80503(b)		
49 App.:1741(e).		
May 21, 1970, Pub. L. 91–258, 84 Stat. 219, § 53(e); added Oct. 22, 1986, Pub. L. 99–514, § 1893(f), 100 Stat. 2930.		

In subsection (a)(1), the word “passengers” is substituted for “persons” for consistency in the revised title and with other titles of the United States Code. The word “hire” is omitted as being included in “compensation”. In clause (B)(ii), the words “fishing or fish processing operations” are substituted for “fishing operations or in processing of fish or fish products” to eliminate unnecessary words.

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In subsection (a)(2), the words “or any other provisions of law” are omitted as unnecessary. The words “on or after July 1, 1970” are omitted as executed. The words “upon the request of such owner, operator, or agent” are omitted as unnecessary. The words “from 5 p.m. through 8 a.m.” are substituted for “at any time after 5 o’clock postmeridian or before 8 o’clock antemeridian” to eliminate unnecessary words. The words “Notwithstanding any other provision of law” are omitted as unnecessary because of the restatement. The words “the owner, operator, or agent does not have to pay” are substituted for “no payment shall be required” for clarity. The words “from 5 p.m. through 8 a.m.” after “the services” are added for clarity. The words “an officer or employee on regular duty” are substituted for “an officer or employee stationed on his regular tour of duty” to eliminate unnecessary words.

In subsection (b)(1), the words “related to the aircraft” are substituted for “as a consequence of the operation of aircraft”, and the words “a place of inspection” are substituted for “at airports of entry or other places of inspection”, to eliminate unnecessary words. The words “The head of the department, agency, or instrumentality may not assess” are substituted for “shall not be assessed against” because of the restatement. The word “expenses” is substituted for “costs” for consistency in this section.

Transfer of Functions

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203 (1), 551 (d), 552 (d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

Abolition of Immigration and Naturalization Service and Transfer of Functions

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

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§ 80504. Medals of honor

(a) Medals.— The President may prepare and give a bronze medal of honor with emblematic devices to an individual who by extreme daring endangers that individual’s life in trying to prevent, or save the life of another in, a grave accident in the United States involving a rail carrier providing transportation in interstate commerce or involving a motor vehicle on the public streets, roads, or highways. The President may give a medal only when sufficient evidence that the individual deserves the medal has been filed under regulations prescribed by the President.

(b) Ribbons, Knots, and Rosettes.— The President may give an individual who receives a medal a ribbon to be worn with the medal and a knot or rosette to be worn in place of the medal. The President shall prescribe the design for the ribbon, knot, and rosette. If the ribbon is lost, destroyed, or made unfit for use and the individual receiving the medal is not negligent, the President shall issue a new ribbon without charge to the individual.

(c) Availability of Appropriations.— Appropriations made to the Secretary of Transportation are available to carry out this section.

(Pub. L. 103–272, § 1(e), July 5, 1994, 108 Stat. 1358.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
80504(a)		
49 App.:1201.		
	Feb. 23, 1905, ch. 744, § 1, 33 Stat. 743; June 13, 1957, Pub. L. 85–50, § 1(1), 71 Stat. 69.	
80504(b)		
49 App.:1202.		

TITLE 49 - Section 80504 - Medals of honor

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
Feb. 23, 1905, ch. 744, § 2, 33 Stat. 743.		
80504(c)		
49 App.:1203.		
Feb. 23, 1905, ch. 744, § 3, 33 Stat. 743; restated June 13, 1957, Pub. L. 85-50, § 1(2), 71 Stat. 69.		
	49 App.:1655(e)(3).	
Oct. 15, 1966, Pub. L. 89-670, § 6(e)(3), 80 Stat. 939.		

In subsection (a), the words “may prepare and give” are substituted for “is authorized to cause to be prepared . . . which shall be bestowed” for clarity. The word “suitable” is omitted as surplus. The word “individual” is substituted for “persons” because it is more precise. The words “trying to prevent, or save the life of another in” are substituted for “in saving, or endeavoring to save, lives . . . or in preventing or endeavoring to prevent” to eliminate unnecessary words. The words “grave accident” are substituted for “wreck, disaster, or grave accident” because they are inclusive. The words “rail carrier providing transportation in interstate commerce” are substituted for “railroad . . . engaged in interstate commerce” for consistency in the revised title. The words “The President may give a medal only when” are substituted for “Provided, That no award of said medal shall be made to any person until” for clarity. The word “filed” is substituted for “furnished and placed on file” to eliminate unnecessary words.

In subsection (b), the words “and the individual receiving the medal is not negligent” are substituted for “without fault or neglect on the part of the person to whom it was issued” to eliminate unnecessary words. The words “the President shall issue” are substituted for “shall be issued” for clarity.

In subsection (c), the words “to the Secretary of Transportation” are substituted for “for the Department of Transportation” because of 49:102(b).