

sums as may be necessary to carry out sections 6103, 6104, and 6105 for fiscal years 2007 through 2010.

(c) GENERAL REVENUE FUNDING.—Any sums appropriated under this section shall be derived from general revenues and may not be derived from amounts collected under section 60301 of this title.

(Added Pub. L. 105-178, title VII, § 7302(a), June 9, 1998, 112 Stat. 482; amended Pub. L. 107-355, § 2(d), Dec. 17, 2002, 116 Stat. 2986; Pub. L. 109-468, § 18(d), Dec. 29, 2006, 120 Stat. 3498.)

AMENDMENTS

2006—Subsecs. (a), (b). Pub. L. 109-468 substituted “fiscal years 2007 through 2010” for “fiscal years 2003 through 2006”.

2002—Subsec. (a). Pub. L. 107-355, § 2(d)(1), substituted “\$1,000,000 for each of fiscal years 2003 through 2006” for “\$1,000,000 for fiscal year 2000 and \$5,000,000 for fiscal year 2001” in first sentence.

Subsec. (b). Pub. L. 107-355, § 2(d)(2), substituted “for fiscal years 2003 through 2006” for “for fiscal years 1999, 2000, and 2001”.

§ 6108. Relationship to State laws

Nothing in this chapter preempts State law or shall impose a new requirement on any State or mandate revisions to a one-call system.

(Added Pub. L. 105-178, title VII, § 7302(a), June 9, 1998, 112 Stat. 482.)

§ 6109. Public education and awareness

(a) GRANT AUTHORITY.—The Secretary shall make a grant to an appropriate entity for promoting public education and awareness with respect to the 811 national excavation damage prevention phone number.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$1,000,000 for the period beginning October 1, 2006, and ending September 30, 2008, to carry out this section.

(Added Pub. L. 109-468, § 3(a), Dec. 29, 2006, 120 Stat. 3489.)

SUBTITLE IV—INTERSTATE TRANSPORTATION

PART A—RAIL

Chapter Sec.
101. GENERAL PROVISIONS 10101
105. JURISDICTION 10501
107. RATES 10701
109. LICENSING 10901
111. OPERATIONS 11101
113. FINANCE 11301
115. FEDERAL-STATE RELATIONS 11501
117. ENFORCEMENT; INVESTIGATIONS, RIGHTS, AND REMEDIES 11701
119. CIVIL AND CRIMINAL PENALTIES 11901

PART B—MOTOR CARRIERS, WATER CARRIERS, BROKERS, AND FREIGHT FORWARDERS

Chapter Sec.
131. GENERAL PROVISIONS 13101
133. ADMINISTRATIVE PROVISIONS ... 13301
135. JURISDICTION 13501

Chapter Sec.
137. RATES AND THROUGH ROUTES .. 13701
139. REGISTRATION 13901
141. OPERATIONS OF CARRIERS 14101
143. FINANCE 14301
145. FEDERAL-STATE RELATIONS 14501
147. ENFORCEMENT; INVESTIGATIONS; RIGHTS; REMEDIES 14701
149. CIVIL AND CRIMINAL PENALTIES 14901
PART C—PIPELINE CARRIERS

Chapter Sec.
151. GENERAL PROVISIONS 15101
153. JURISDICTION 15301
155. RATES 15501
157. OPERATIONS OF CARRIERS 15701
159. ENFORCEMENT; INVESTIGATIONS, RIGHTS, AND REMEDIES 15901
161. CIVIL AND CRIMINAL PENALTIES 16101

PRIOR PROVISIONS

A prior subtitle IV, consisting of chapters 101 to 119, related to interstate commerce, prior to the general amendment of this subtitle by Pub. L. 104-88, § 102(a).

AMENDMENTS

1997—Pub. L. 105-102, § 2(5), Nov. 20, 1997, 111 Stat. 2204, struck out “AND TARIFFS” after “RATES” in item for chapter 155.

PART A—RAIL

CHAPTER 101—GENERAL PROVISIONS

Sec.
10101. Rail transportation policy.
10102. Definitions.

§ 10101. Rail transportation policy

In regulating the railroad industry, it is the policy of the United States Government—

(1) to allow, to the maximum extent possible, competition and the demand for services to establish reasonable rates for transportation by rail;

(2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required;

(3) to promote a safe and efficient rail transportation system by allowing rail carriers to earn adequate revenues, as determined by the Board;

(4) to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public and the national defense;

(5) to foster sound economic conditions in transportation and to ensure effective competition and coordination between rail carriers and other modes;

(6) to maintain reasonable rates where there is an absence of effective competition and where rail rates provide revenues which exceed the amount necessary to maintain the rail system and to attract capital;

(7) to reduce regulatory barriers to entry into and exit from the industry;

(8) to operate transportation facilities and equipment without detriment to the public health and safety;

(9) to encourage honest and efficient management of railroads;

(10) to require rail carriers, to the maximum extent practicable, to rely on individual rate increases, and to limit the use of increases of general applicability;

(11) to encourage fair wages and safe and suitable working conditions in the railroad industry;

(12) to prohibit predatory pricing and practices, to avoid undue concentrations of market power, and to prohibit unlawful discrimination;

(13) to ensure the availability of accurate cost information in regulatory proceedings, while minimizing the burden on rail carriers of developing and maintaining the capability of providing such information;

(14) to encourage and promote energy conservation; and

(15) to provide for the expeditious handling and resolution of all proceedings required or permitted to be brought under this part.

(Added Pub. L. 104-88, title I, §102(a), Dec. 29, 1995, 109 Stat. 805.)

PRIOR PROVISIONS

Prior sections 10101 and 10101a were omitted in the general amendment of this subtitle by Pub. L. 104-88, §102(a).

Section 10101, Pub. L. 95-473, Oct. 17, 1978, 92 Stat. 1337; Pub. L. 96-296, §4, July 1, 1980, 94 Stat. 793; Pub. L. 96-448, title I, §101(b), Oct. 14, 1980, 94 Stat. 1898; Pub. L. 97-261, §5, Sept. 20, 1982, 96 Stat. 1103; Pub. L. 103-311, title II, §204, Aug. 26, 1994, 108 Stat. 1683, related to transportation policy. See sections 13101 and 15101 of this title.

Section 10101a, added Pub. L. 96-448, title I, §101(a), Oct. 14, 1980, 94 Stat. 1897, related to rail transportation policy.

EFFECTIVE DATE

Chapter effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 701 of this title.

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-432, div. A, title VI, §601, Oct. 16, 2008, 122 Stat. 4900, provided that: "This title [enacting sections 10908 to 10910 of this title and amending section 10501 of this title] may be cited as the 'Clean Railroads Act of 2008'."

Pub. L. 110-291, §1, July 30, 2008, 122 Stat. 2915, provided that: "This Act [amending sections 13102, 13902, and 13905 of this title and enacting provisions set out as notes under section 13902 of this title] may be cited as the 'Over-the-Road Bus Transportation Accessibility Act of 2007'."

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-59, title IV, §4201, Aug. 10, 2005, 119 Stat. 1751, provided that: "This subtitle [subtitle B (§§4201-4216) of title IV of Pub. L. 109-59, enacting sections 14710, 14711, and 14915 of this title, amending sections 13102, 13707, 13902, 14104, 14501, 14706, 14708, and 14901 of this title, and enacting provisions set out as notes under sections 13102, 14701, 14706, and 14710 of this title] may be cited as the 'Household Goods Mover Oversight Enforcement and Reform Act of 2005'."

Pub. L. 109-59, title IV, §4301, Aug. 10, 2005, 119 Stat. 1761, provided that: "This subtitle [subtitle C (§§4301-4308) of title IV of Pub. L. 109-59, enacting sections 14504a and 14506 of this title, amending sections 13902, 13905, 13906, 13908, 31102, and 31103 of this title, repealing section 14504 of this title, and enacting provi-

sions set out as notes under sections 13902 and 14504 of this title] may be cited as the 'Unified Carrier Registration Act of 2005'."

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-298, §1, Nov. 26, 2002, 116 Stat. 2342, provided that: "This Act [amending sections 13102, 13506, 14501, and 31138 of this title] may be cited as the 'Real Interstate Driver Equity Act of 2002'."

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-521, §1, Oct. 22, 1986, 100 Stat. 2993, provided that: "This Act [see Tables for classification] may be cited as the 'Surface Freight Forwarder Deregulation Act of 1986'."

SHORT TITLE OF 1982 AMENDMENT

Section 1 of Pub. L. 97-261 provided: "That this Act [see Tables for classification] may be cited as the 'Bus Regulatory Reform Act of 1982'."

SHORT TITLE OF 1980 AMENDMENTS

Pub. L. 96-454, §1, Oct. 15, 1980, 94 Stat. 2011, provided: "That this Act [see Tables for classification] may be cited as the 'Household Goods Transportation Act of 1980'."

Section 1 of Pub. L. 96-448 provided that: "This Act [see Tables for classification] may be cited as the 'Staggers Rail Act of 1980'."

Section 1 of Pub. L. 96-296 provided: "That this Act [see Tables for classification] may be cited as the 'Motor Carrier Act of 1980'."

§ 10102. Definitions

In this part—

(1) "Board" means the Surface Transportation Board;

(2) "car service" includes (A) the use, control, supply, movement, distribution, exchange, interchange, and return of locomotives, cars, other vehicles, and special types of equipment used in the transportation of property by a rail carrier, and (B) the supply of trains by a rail carrier;

(3) "control", when referring to a relationship between persons, includes actual control, legal control, and the power to exercise control, through or by (A) common directors, officers, stockholders, a voting trust, or a holding or investment company, or (B) any other means;

(4) "person", in addition to its meaning under section 1 of title 1, includes a trustee, receiver, assignee, or personal representative of a person;

(5) "rail carrier" means a person providing common carrier railroad transportation for compensation, but does not include street, suburban, or interurban electric railways not operated as part of the general system of rail transportation;

(6) "railroad" includes—

(A) a bridge, car float, lighter, ferry, and intermodal equipment used by or in connection with a railroad;

(B) the road used by a rail carrier and owned by it or operated under an agreement; and

(C) a switch, spur, track, terminal, terminal facility, and a freight depot, yard, and ground, used or necessary for transportation;

(7) "rate" means a rate or charge for transportation;