

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1239; Pub. L. 112-74, div. D, title V, §564(b), (c), Dec. 23, 2011, 125 Stat. 981.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46314 .....	49 App.:1472(r).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §902(r); added Dec. 30, 1987, Pub. L. 100-223, §204(f)(2), 101 Stat. 1520.

In subsection (b), the words “fined under title 18” are substituted for “a fine not to exceed \$1,000” and “a fine not to exceed \$10,000” for consistency with title 18.

In subsection (b)(1), the words “Upon conviction” are omitted as surplus.

In subsection (b)(2), the words “airport area” are substituted for “secured area” for consistency in this section.

Editorial Notes

AMENDMENTS

2011—Subsec. (b)(2). Pub. L. 112-74, §564(b), inserted “with intent to evade security procedures or restrictions or” after “of this section”.

Subsec. (c). Pub. L. 112-74, §564(c), added subsec. (c).

**§ 46315. Lighting violations involving transporting controlled substances by aircraft not providing air transportation**

(a) APPLICATION.—This section applies only to aircraft not used to provide air transportation.

(b) CRIMINAL PENALTY.—A person shall be fined under title 18, imprisoned for not more than 5 years, or both, if—

- (1) the person knowingly and willfully operates an aircraft in violation of a regulation or requirement of the Administrator of the Federal Aviation Administration related to the display of navigation or anticollision lights;
- (2) the person is knowingly transporting a controlled substance by aircraft or aiding or facilitating a controlled substance offense; and
- (3) the transporting, aiding, or facilitating—

- (A) is punishable by death or imprisonment for more than one year under a law of the United States or a State; or
- (B) is provided in connection with an act punishable by death or imprisonment for more than one year under a law of the United States or a State related to a controlled substance (except a law related to simple possession of a controlled substance).

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1240.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46315(a) .....	49 App.:1303 (note).	Nov. 18, 1988, Pub. L. 100-690, §7214, 102 Stat. 4434.
46315(b) .....	49 App.:1472(q).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §902(q); added Oct. 19, 1984, Pub. L. 98-499, §5(a), 98 Stat. 2315; restated Oct. 27, 1986, Pub. L. 99-570, §3401(b)(1), 100 Stat. 3207-100; Nov. 18, 1988, Pub. L. 100-690, §7209(c)(1), (2)(A), 102 Stat. 4432.

In subsection (b), before clause (1), the words “fined under title 18” are substituted for “a fine not exceeding

\$25,000” for consistency with title 18. In clause (2), the word “knowingly” is substituted for “and with knowledge of such act” to eliminate unnecessary words.

**§ 46316. General criminal penalty when specific penalty not provided**

(a) CRIMINAL PENALTY.—Except as provided by subsection (b) of this section, when another criminal penalty is not provided under this chapter, a person that knowingly and willfully violates this part, a regulation prescribed or order issued by the Secretary of Transportation (or the Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration) under this part, or any term of a certificate or permit issued under section 41102, 41103, or 41302 of this title shall be fined under title 18. A separate violation occurs for each day the violation continues.

(b) NONAPPLICATION.—Subsection (a) of this section does not apply to chapter 401 (except sections 40103(a) and (d), 40105, 40116, and 40117), chapter 441 (except section 44109), chapter 445, chapter 447 (except section 44718(a)), and chapter 449 (except sections 44902, 44903(d), 44904, and 44907-44909) of this title.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1240; Pub. L. 104-287, §5(79), Oct. 11, 1996, 110 Stat. 3397; Pub. L. 105-102, §3(d)(1)(D), Nov. 20, 1997, 111 Stat. 2215; Pub. L. 107-71, title I, §140(d)(7), Nov. 19, 2001, 115 Stat. 642; Pub. L. 115-254, div. K, title I, §1991(g)(5), Oct. 5, 2018, 132 Stat. 3645.)

HISTORICAL AND REVISION NOTES  
PUB. L. 103-272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
46316 .....	49 App.:1472(a).	Aug. 23, 1958, Pub. L. 85-726, §902(a), 72 Stat. 784; restated July 10, 1962, Pub. L. 87-528, §13, 76 Stat. 150.
	49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §1601(b)(1)(E); added Oct. 4, 1984, Pub. L. 98-443, §3(e), 98 Stat. 1704.
	49 App.:1655(c)(1).	Oct. 15, 1966, Pub. L. 89-670, §6(c)(1), 80 Stat. 938; Jan. 12, 1983, Pub. L. 97-449, §7(b), 96 Stat. 2444.

In subsection (a), the word “prescribed” is added for consistency in the revised title. The words “condition, or limitation of” are omitted as surplus. The word “Administrator” in section 902(a) of the Federal Aviation Act of 1958 (Public Law 85-726, 72 Stat. 784) is retained on authority of 49:106(g). The words “or in section 1474 of this Appendix” are omitted as surplus because 49 App.:1474 is not included in the revised title. The words “shall be deemed guilty of a misdemeanor” are omitted for consistency with title 18. The words “and upon conviction thereof” are omitted as surplus. The words “shall be fined under title 18” are substituted for “shall be subject for the first offense to a fine of not more than \$500, and for any subsequent offense to a fine of not more than \$2,000” for consistency with title 18.

In subsection (b), reference to 49 App.:ch. 20, subch. VII is omitted as unnecessary because subchapter VII is not restated in this part.