

this title, imprisoned for any term of years or for life, or both.

(Added Pub. L. 115–254, div. B, title III, § 384(a), Oct. 5, 2018, 132 Stat. 3322.)

§ 40. Commercial motor vehicles required to stop for inspections

(a) A driver of a commercial motor vehicle (as defined in section 31132 of title 49) shall stop and submit to inspection of the vehicle, driver, cargo, and required records when directed to do so by an authorized employee of the Federal Motor Carrier Safety Administration of the Department of Transportation, at or in the vicinity of an inspection site. The driver shall not leave the inspection site until authorized to do so by an authorized employee.

(b) A driver of a commercial motor vehicle, as defined in subsection (a), who knowingly fails to stop for inspection when directed to do so by an authorized employee of the Administration at or in the vicinity of an inspection site, or leaves the inspection site without authorization, shall be fined under this title or imprisoned not more than 1 year, or both.

(Added Pub. L. 109–59, title IV, § 4143(a), Aug. 10, 2005, 119 Stat. 1747, § 39; renumbered § 40, Pub. L. 110–244, title III, § 301(j), June 6, 2008, 122 Stat. 1616.)

Editorial Notes

AMENDMENTS

2008—Pub. L. 110–244 renumbered section 39 of this title, relating to inspection of commercial vehicles, as this section.

§ 40A. Operation of unauthorized unmanned aircraft over wildfires

(a) IN GENERAL.—Except as provided in subsection (b), an individual who operates an unmanned aircraft and knowingly or recklessly interferes with a wildfire suppression, or law enforcement or emergency response efforts¹ related to a wildfire suppression, shall be fined under this title, imprisoned for not more than 2 years, or both.

(b) EXCEPTIONS.—This section does not apply to the operation of an unmanned aircraft conducted by a unit or agency of the United States Government or of a State, tribal, or local government (including any individual conducting such operation pursuant to a contract or other agreement entered into with the unit or agency) for the purpose of protecting the public safety and welfare, including firefighting, law enforcement, or emergency response.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) UNMANNED AIRCRAFT.—The term “unmanned aircraft” has the meaning given the term in section 44801 of title 49, United States Code.

(2) WILDFIRE.—The term “wildfire” has the meaning given that term in section 2 of the Emergency Wildfire Suppression Act (42 U.S.C. 1856m).

(3) WILDFIRE SUPPRESSION.—The term “wildfire suppression” means an effort to contain, extinguish, or suppress a wildfire.

(Added Pub. L. 115–254, div. B, title III, § 382(a), Oct. 5, 2018, 132 Stat. 3320.)

CHAPTER 3—ANIMALS, BIRDS, FISH, AND PLANTS

Sec.	
41.	Hunting, fishing, trapping; disturbance or injury on wildlife refuges.
42.	Importation or shipment of injurious mammals, birds, fish (including mollusks and crustacea), amphibia, and reptiles; permits, specimens for museums; regulations.
43.	Force, violence, and threats involving animal enterprises.
[44 to 46]	Repealed.]
47.	Use of aircraft or motor vehicles to hunt certain wild horses or burros; pollution of watering holes.
48.	Animal crushing.
49.	Enforcement of animal fighting prohibitions.

HISTORICAL AND REVISION NOTES

The criminal provisions of the Migratory Bird Treaty Act, sections 703–711 of title 16, U.S.C., 1940 ed., Conservation, and the Migratory Bird Conservation Act, sections 715–715r of title 16, U.S.C., 1940 ed., Conservation, were considered for inclusion in this chapter. Since these provisions, except parts of sections 704–707 of said title 16, are so inextricably interwoven with the Migratory Bird Acts, it was found advisable to exclude them.

Editorial Notes

AMENDMENTS

2020—Pub. L. 116–260, div. O, title X, § 1003(b), Dec. 27, 2020, 134 Stat. 2156, struck out item 46 “Transportation of water hyacinths”.

2019—Pub. L. 116–72, § 2(b), Nov. 25, 2019, 133 Stat. 1152, substituted “Animal crushing” for “Animal crush videos” in item 48.

2010—Pub. L. 111–294, § 3(b), Dec. 9, 2010, 124 Stat. 3179, substituted “Animal crush videos” for “Depiction of animal cruelty” in item 48.

2007—Pub. L. 110–22, § 2(b), May 3, 2007, 121 Stat. 88, added item 49.

2006—Pub. L. 109–374, § 2(b), Nov. 27, 2006, 120 Stat. 2655, substituted “Force, violence, and threats involving animal enterprises” for “Animal enterprise terrorism” in item 43.

1999—Pub. L. 106–152, § 1(b), Dec. 9, 1999, 113 Stat. 1732, added item 48.

1992—Pub. L. 102–346, § 2(b), Aug. 26, 1992, 106 Stat. 929, which directed the general amendment of item 43, was executed by adding item 43 to reflect the probable intent of Congress, because item 43 had been previously struck out by Pub. L. 101–647. See 1990 Amendment note below.

1990—Pub. L. 101–647, title XII, § 1206(b), title XXXV, § 3506, Nov. 29, 1990, 104 Stat. 4832, 4922, substituted “Importation or shipment of injurious mammals, birds, fish (including mollusks and crustacea), amphibia, and reptiles; permits, specimens for museums; regulations” for “Importation of injurious animals and birds; permits; specimens for museums” in item 42, struck out item 43 “Transportation or importation in violation of state, national, or foreign laws”, item 44 “Marking packages or containers”, and item 45 “Capturing or killing carrier pigeons”, and inserted “; pollution of watering holes” after “burros” in item 47.

1959—Pub. L. 86–234, § 1(b), Sept. 8, 1959, 73 Stat. 470, added item 47.

1956—Act Aug. 1, 1956, ch. 825, § 2(b), 70 Stat. 798, amended chapter heading to include reference to “Plants” and added item 46.

§ 41. Hunting, fishing, trapping; disturbance or injury on wildlife refuges

Whoever, except in compliance with rules and regulations promulgated by authority of law,

¹ So in original. Probably should be “effort”.