

§ 1022.4

49 CFR Ch. X (10–1–20 Edition)

§ 1022.4 Cost-of living adjustments of civil monetary penalties.

(a) The inflation adjustment under § 1022.3 will initially be determined by increasing each maximum civil monetary penalty by the initial cost-of-living adjustment. Not later than January 15 of every year thereafter, the inflation adjustment will subsequently be determined by increasing the maximum

civil monetary penalty for each civil monetary penalty by the cost-of-living adjustment. Any increase determined under this section shall be rounded to the nearest dollar.

(b) The cost-of-living adjustment required by the statute results in the following adjustments to the civil monetary penalties within the jurisdiction of the Board:

TABLE 1 TO PARAGRAPH (b)

U.S. code citation	Civil monetary penalty description	Adjusted penalty amount 2019	Adjusted penalty amount 2020
Rail Carrier Civil Penalties			
49 U.S.C. 11901(a)	Unless otherwise specified, maximum penalty for each knowing violation under this part, and for each day.	\$7,987	\$8,128
49 U.S.C. 11901(b)	For each violation under Section 11124(a)(2) or (b).	799	813
49 U.S.C. 11901(b)	For each day violation continues.	41	42
49 U.S.C. 11901(c)	Maximum penalty for each knowing violation under Sections 10901–10906.	7,987	8,128
49 U.S.C. 11901(d)	For each violation under Section 11123 or 11124(a)(1).	159–799	162–813
49 U.S.C. 11901(d)	For each day violation continues	80	81
49 U.S.C. 11901(e)(1), (4)	For each violation under Sections 11141–11145, for each day.	799	813
49 U.S.C. 11901(e)(2), (4)	For each violation under Section 11144(b)(1), for each day.	159	162
49 U.S.C. 11901(e)(3)–(4)	For each violation of reporting requirements, for each day.	159	162
Motor and Water Carrier Civil Penalties			
49 U.S.C. 14901(a)	Minimum penalty for each violation and for each day.	1,093	1,112
49 U.S.C. 14901(a)	For each violation under Section 13901 or 13902(c).	10,932	11,125
49 U.S.C. 14901(a)	For each violation related to transportation of passengers.	27,331	27,813
49 U.S.C. 14901(b)	For each violation of the hazardous waste rules under Section 3001 of the Solid Waste Disposal Act.	21,865–43,730	22,251–44,501
49 U.S.C. 14901(d)(1)	Minimum penalty for each violation of household good regulations, and for each day.	1,597	1,625
49 U.S.C. 14901(d)(2)	Minimum penalty for each instance of transportation of household goods if broker provides estimate without carrier agreement.	15,976	16,258
49 U.S.C. 14901(d)(3)	Minimum penalty for each instance of transportation of household goods without being registered.	39,936	40,640
49 U.S.C. 14901(e)	Minimum penalty for each violation of a transportation rule.	3,195	3,251
49 U.S.C. 14901(e)	Minimum penalty for each additional violation ..	7,987	8,128
49 U.S.C. 14903(a)	Maximum penalty for undercharge or overcharge of tariff rate, for each violation.	159,750	162,568
49 U.S.C. 14904(a)	For first violation, rebates at less than the rate in effect.	319	325
49 U.S.C. 14904(a)	For all subsequent violations	400	407

TABLE 1 TO PARAGRAPH (b)—Continued

U.S. code citation	Civil monetary penalty description	Adjusted penalty amount 2019	Adjusted penalty amount 2020
49 U.S.C. 14904(b)(1)	Maximum penalty for first violation for undercharges by freight forwarders.	799	813
49 U.S.C. 14904(b)(1)	Maximum penalty for subsequent violations	3,195	3,251
49 U.S.C. 14904(b)(2)	Maximum penalty for other first violations under Section 13702.	799	813
49 U.S.C. 14904(b)(2)	Maximum penalty for subsequent violations	3,195	3,251
49 U.S.C. 14905(a)	Maximum penalty for each knowing violation of Section 14103(a), and knowingly authorizing, consenting to, or permitting a violation of Section 14103(a) or (b).	15,976	16,258
49 U.S.C. 14906	Minimum penalty for first attempt to evade regulation.	2,187	2,226
49 U.S.C. 14906	Minimum amount for each subsequent attempt to evade regulation.	5,466	5,562
49 U.S.C. 14907	Maximum penalty for recordkeeping/reporting violations.	7,987	8,128
49 U.S.C. 14908(a)(2)	Maximum penalty for violation of Section 14908(a)(1)..	3,195	3,251
49 U.S.C. 14910	When another civil penalty is not specified under this part, for each violation, for each day.	799	813
49 U.S.C. 14915(a)(1)–(2)	Minimum penalty for holding a household goods shipment hostage, for each day.	12,695	12,919
49 U.S.C. 14916(c)(1)	Maximum penalty for each violation under Section 14916(a) by knowingly authorizing, consenting to, or permitting unlawful brokerage activities.	10,932	11,125
Pipeline Carrier Civil Penalties			
49 U.S.C. 16101(a)	Maximum penalty for violation of this part, for each day.	7,987	8,128
49 U.S.C. 16101(b)(1), (4)	For each recordkeeping violation under Section 15722, each day.	799	813
49 U.S.C. 16101(b)(2), (4)	For each inspection violation liable under Section 15722, each day.	159	162
49 U.S.C. 16101(b)(3)–(4)	For each reporting violation under Section 15723, each day.	159	162
49 U.S.C. 16103(a)	Maximum penalty for improper disclosure of information.	1,597	1,625

[81 FR 72543, Oct. 20, 2016, as amended at 82 FR 4797, Jan. 17, 2017; 83 FR 993, Jan. 9, 2018; 83 FR 67699, Dec. 31, 2018; 85 FR 839, Jan. 8, 2019]

Parts 1030–1039—Carriers Subject to Part I, Interstate Commerce Act

PART 1033—CAR SERVICE

Sec.

1033.1 Car hire rates.

1033.2 Car service orders.

AUTHORITY: 49 U.S.C. 1321, 11121, 11122.

§ 1033.1 Car hire rates.

(a) Definitions applicable to this section:

(1) *Car*. A freight car bearing railroad reporting marks, other than an excluded boxcar as defined in §1039.14(c)(2) of this chapter whenever it is owned or leased by any class III carrier and bears a class III carrier’s reporting marks.

(2) *Car hire*. Compensation to be paid by a user to an owner for use of a car.