AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO



[CHAPTER 361]

AN ACT

To amend section 205 of the Interstate Commerce Act, relating to joint boards.

July 26, 1949
[S. 255]
[Public Law 185]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (b) of section 205 of the Interstate Commerce Act is hereby amended to read as follows:

Interstate Commerce Act, amendment.
49 Stat. 548.
49 U. S. C. 305 (b); Supp. II, § 305 note.
Joint boards.

"(b) Whenever there arises in the administration of this part any matter that the Commission is required to refer to a joint board, or that the Commission determines, in its discretion, to refer to a joint board, the Commission shall, if no joint board eligible to consider said matter is in existence, create a joint board to consider the matter when referred, and to recommend appropriate order thereon. The Commission shall prescribe rules governing meetings and procedure of joint boards and may, in the event of legal proceedings preventing reference to a joint board, determine the matter as provided in section 17. Except as hereinafter provided, a joint board shall consist of a member from each State in which the motor carrier or brokerage operations involved are or are proposed to be conducted. The member from any such State shall be nominated by the board of such State from its own membership or otherwise; or if there is no board in such State or if the board of such State fails to make a nomination when requested by the Commission, then the Governor of such State may nominate such member. The Commission is authorized to appoint as a member upon the joint board any such nominee approved by it. If both the board and the Governor of any State shall fail to nominate a joint board member when requested, then the joint board shall be constituted without a member from such State, if members for two or more States shall have been nominated and approved by the Commission. All decisions and recommendations by joint boards shall be by majority vote: *Provided*, *however*, That in any matter where only one member shall participate in a hearing such member shall constitute a quorum and make recommendation of an order thereon. If the board of each State from which a member of a joint board is entitled to be appointed shall waive action on any matter referred to such joint board, or if any joint board fails or refuses to act, or is unable to agree upon any matter submitted to it within forty-five days after the matter is referred to it or such other period as the Commission may authorize, or if a member shall not be nominated for more than one State (except only when the operations proposed shall be into or through territory foreign to the United States), then such matter shall be decided as in the case of any matter not required to be referred to a joint board. The failure of a duly appointed member of a joint board to participate in any hearing on a matter referred to such joint board, after notice thereof, shall be considered to constitute, as to the matter referred, a waiver of action on the part of the State from which such member was appointed, but shall not affect the duty and power of the remaining members or member of said joint board, if any, to proceed with said hearing, to consider such matter, and to make recommendation of an order thereon. When any proceeding required to be referred to a joint board shall involve operations of a motor carrier conducted or proposed to be conducted into or through territory foreign to the United States, if a single State shall be involved, or if only one State shall make nomination of a joint board member through its Governor or State board, then the Commission, in such case, may receive from that State the nomination of

24 Stat. 385.
49 U. S. C. § 17.
Members.

Quorum.

Waiver of action.

not more than three members and may appoint such nominees to constitute the joint board. Members of joint boards when administering the provisions of this part shall receive such allowances for travel and subsistence expenses as the Commission shall provide. A joint board shall continue in existence for the consideration of matters referred to it by the Commission until such time as its existence may be terminated by the Commission. A substitution of membership upon a joint board from any State may be made at any time by nomination and appointment in the same manner as an original nomination and appointment."

Termination.

Substitution of membership.

Approved July 26, 1949.

---

[CHAPTER 362]

AN ACT

July 26, 1949
[S. 447]
[Public Law 186]

To amend the Civil Aeronautics Act of 1938, as amended, to regulate the transportation, packing, marking, and description of explosives and other dangerous articles.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 902 of the Civil Aeronautics Act of 1938, as amended, is amended by inserting after subsection (g) thereof the following new subsection:

Civil Aeronautics Act of 1938, amendment.
52 Stat. 1015.
49 U. S. C. § 622.

"Transportation of Explosives and Other Dangerous Articles

"(h) (1) Any person who knowingly delivers or causes to be delivered to an air carrier or to the operator of any civil aircraft for transportation in air commerce, or who causes the transportation in air commerce of, any shipment, baggage, or property, the transportation of which would be prohibited by any rule, regulation, or requirement prescribed by the Civil Aeronautics Board, under title VI of this Act, relating to the transportation, packing, marking, or description of explosives or other dangerous articles shall, upon conviction thereof for each such offense, be subject to a fine of not more than $1,000, or to imprisonment not exceeding one year, or to both such fine and imprisonment: *Provided*, That when death or bodily injury of any person results from an offense punishable under this subsection, the person or persons convicted thereof shall, in lieu of the foregoing penalty, be subject to a fine of not more than $10,000 or to imprisonment not exceeding ten years, or to both such fine and imprisonment.

Penalty.

52 Stat. 1007.
49 U. S. C. §§ 551-560; Supp. II, § 551.

Death or bodily injury.

"(2) in the exercise of its authority under title VI of this Act, the Civil Aeronautics Board may provide by regulation for the application in whole or in part of the rules or regulations of the Interstate Commerce Commission (including future amendments and additions thereto) relating to the transportation, packing, marking, or description of explosives or other dangerous articles for surface transportation, to the shipment and carriage by air of such articles. Such applicability may be terminated by the Board at any time. While so made applicable, any such rule or regulation, or part thereof, of the Interstate Commerce Commission shall for the purposes of this Act be deemed to be a regulation of the Board prescribed under title VI."

Applicability of rules and regulations.
52 Stat. 1007.
49 U. S. C. §§ 551-560, Supp. II, § 551.

Approved July 26, 1949.

---

[CHAPTER 363]

AN ACT

July 26, 1949
[S. 1279]
[Public Law 187]

To amend the Federal Airport Act so as to provide that minimum rates of wages need be specified only in contracts in excess of $2,000.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (b) of section 15 of the Federal Airport Act is amended to read as follows:

Federal Airport Act, amendment.
60 Stat. 178.
49 U. S. C. § 1114 (b).