

Jan. 12, 1983, Pub. L. 97-449, §2(d)(1), 96 Stat. 2440, authorized Secretary of Transportation to hold hearings in determining reasonableness of tolls, to require attendance of witnesses, and to punish witnesses for failure to attend such hearings.

Section 507, act Aug. 21, 1935, ch. 597, §5, 49 Stat. 672, related to punishment for failure to obey an order prescribing toll.

§ 508. Amount of tolls

Tolls for passage or transit over any bridge constructed under the authority of the Act of March 23, 1906, commonly known as the “Bridge Act of 1906”, the General Bridge Act of 1946 [33 U.S.C. 525 et seq.], and the International Bridge Act of 1972 [33 U.S.C. 535 et seq.] shall be just and reasonable.

(Pub. L. 100-17, title I, §135(i), Apr. 2, 1987, 101 Stat. 174.)

Editorial Notes

REFERENCES IN TEXT

Act of March 23, 1906, commonly known as the “Bridge Act of 1906”, referred to in text, is act Mar. 23, 1906, ch. 1130, 34 Stat. 84, which enacted sections 491 to 494 and 495 to 498 of this title. For complete classification of this Act of the Code, see Short Title note set out under section 491 of this title and Tables.

The General Bridge Act of 1946, referred to in text, is title V of act Aug. 2, 1946, ch. 753, 60 Stat. 847, which is classified generally to subchapter III (§525 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 525 of this title and Tables.

The International Bridge Act of 1972, referred to in text, is Pub. L. 92-434, Sept. 26, 1972, 86 Stat. 731, which is classified principally to subchapter IV (§535 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 535 of this title and Tables.

SUBCHAPTER II—ALTERATION OF BRIDGES

§ 511. Definitions

When used in this subchapter, unless the context indicates otherwise—

The term “alteration” includes changes of any kind, reconstruction, or removal in whole or in part.

The term “bridge” means a lawful bridge over navigable waters of the United States, including approaches, fenders, and appurtenances thereto, which is used and operated for the purpose of carrying railroad traffic, or both railroad and highway traffic, or if a State, county, municipality, or other political subdivision is the owner or joint owner thereof, which is used and operated for the purpose of carrying highway traffic.

The term “bridge owner” means any State, county, municipality, or other political subdivision, or any corporation, association, partnership, or individual owning, or jointly owning, any bridge, and, when any bridge shall be in the possession or under the control of any trustee, receiver, trustee in a case under title 11, or lessee, such terms shall include both the owner of the legal title and the person or the entity in possession or control of such bridge.

The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

The term “United States”, when used in a geographical sense, includes the Territories and possessions of the United States.

(June 21, 1940, ch. 409, §1, 54 Stat. 497; July 16, 1952, ch. 889, §1, 66 Stat. 732; Pub. L. 95-598, title III, §323, Nov. 6, 1978, 92 Stat. 2679; Pub. L. 97-449, §2(d)(2), Jan. 12, 1983, 96 Stat. 2440; Pub. L. 114-120, title III, §306(b)(4)(A), Feb. 8, 2016, 130 Stat. 55.)

Editorial Notes

AMENDMENTS

2016—Pub. L. 114-120 substituted “Secretary of the department in which the Coast Guard is operating” for “Secretary of Transportation”.

1983—Pub. L. 97-449 substituted provision that the term “Secretary” means the Secretary of Transportation for provision that it meant the Secretary of War acting directly or through the Chief of Engineers.

1978—Pub. L. 95-598 substituted in definition of “bridge owner” the phrase “trustee in a case under title 11” for “trustee in bankruptcy”.

1952—Act of July 16, 1952, redefined “bridge” and “bridge owner”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set out as an Effective Dates note preceding section 101 of Title 11, Bankruptcy.

SHORT TITLE

Sections 511 to 523 of this title are popularly known as the “Hobbs Bridge Act” and also as the “Truman-Hobbs Act”.

TRANSFER OF FUNCTIONS

Section 6(g)(3) of Pub. L. 89-670 transferred functions, powers, and duties of Secretary of the Army [formerly War] and other officers and offices of Department of the Army [formerly War] relating to obstructive bridges under this subchapter to Secretary of Transportation. Pub. L. 97-449 amended this section to reflect transfer made by section 6(g)(3) of Pub. L. 89-670, and repealed section 6(g)(3).

§ 512. Obstruction of navigation

No bridge shall at any time unreasonably obstruct the free navigation of any navigable waters of the United States.

(June 21, 1940, ch. 409, §2, 54 Stat. 498.)

§ 513. Notice, hearings, and findings

Whenever any bridge shall, in the opinion of the Secretary, at any time unreasonably obstruct such navigation, it shall be the duty of the Secretary, after notice to interested parties, to hold a hearing at which the bridge owner, those interested in water navigation thereunder or therethrough, those interested in either railroad or highway traffic thereover, and any other party or parties in interest shall have full opportunity to offer evidence and be heard as to whether any alteration of such bridge is needed, and if so what alterations are needed, having due regard to the necessity of free and unobstructed water navigation and to the necessities of the rail or highway traffic. If, upon such hearing, the Secretary determines that any alter-