

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 930; amended Pub. L. 105-102, §2(16), Nov. 20, 1997, 111 Stat. 2205.)

HISTORICAL AND REVISION NOTES

PUB. L. 105-102

This amends 49:16101 to redesignate subsection (d) as (c) because no subsection (c) was enacted.

**Editorial Notes**

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11901 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

AMENDMENTS

1997—Subsecs. (c), (d). Pub. L. 105-102 redesignated subsec. (d) as (c).

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

**§ 16102. Recordkeeping and reporting violations**

A person required to make a report to the Board, or make, prepare, or preserve a record, under chapter 157 about transportation subject to this part that knowingly and willfully—

- (1) makes a false entry in the report or record,
- (2) destroys, mutilates, changes, or by another means falsifies the record,
- (3) does not enter business related facts and transactions in the record,
- (4) makes, prepares, or preserves the record in violation of a regulation or order of the Board, or
- (5) files a false report or record with the Board,

shall be fined under title 18 or imprisoned not more than 2 years, or both.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 930.)

**Editorial Notes**

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11909 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

**§ 16103. Unlawful disclosure of information**

(a) GENERAL PROHIBITION.—A pipeline carrier providing transportation subject to this part, or an officer, agent, or employee of that carrier, or another person authorized to receive information from that carrier, that knowingly discloses to another person, except the shipper or consignee, or a person who solicits or knowingly receives information about the nature, kind, quantity, destination, consignee, or routing of property tendered or delivered to that carrier for

transportation provided under this part without the consent of the shipper or consignee, if that information may be used to the detriment of the shipper or consignee or may disclose improperly, to a competitor the business transactions of the shipper or consignee, is liable to the United States for a civil penalty of not more than \$1,000.

(b) LIMITATION ON STATUTORY CONSTRUCTION.—This part does not prevent a pipeline carrier providing transportation under this part from giving information—

- (1) in response to legal process issued under authority of a court of the United States or a State;
- (2) to an officer, employee, or agent of the United States Government, a State, or a territory or possession of the United States; or
- (3) to another carrier or its agent to adjust mutual traffic accounts in the ordinary course of business.

(c) BOARD EMPLOYEE.—An employee of the Board delegated to make an inspection or examination under section 15722 who knowingly discloses information acquired during that inspection or examination, except as directed by the Board, a court, or a judge of that court, shall be fined under title 18 or imprisoned for not more than 6 months, or both.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

**Editorial Notes**

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11910 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

**§ 16104. Disobedience to subpoenas**

Whoever does not obey a subpoena or requirement of the Board to appear and testify or produce records shall be fined under title 18 or imprisoned not more than 1 year, or both.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

**Editorial Notes**

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11913 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

**§ 16105. General criminal penalty when specific penalty not provided**

When another criminal penalty is not provided under this chapter, a pipeline carrier providing

transportation subject to this part, and when that carrier is a corporation, a director or officer of the corporation, or a receiver, trustee, lessee, or person acting for or employed by the corporation that, alone or with another person, willfully violates this part or an order prescribed under this part, shall be fined under title 18 or imprisoned not more than 2 years, or both. A separate violation occurs each day a violation of this part continues.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11914 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

§ 16106. Punishment of corporation for violations committed by certain individuals

An act or omission that would be a violation of this subtitle if committed by a director, officer, receiver, trustee, lessee, agent, or employee of a pipeline carrier providing transportation or service subject to this part that is a corporation is also a violation of this part by that corporation. The penalties of this chapter apply to that violation. When acting in the scope of their employment, the actions and omissions of individuals acting for or employed by that carrier are considered to be the actions and omissions of that carrier as well as that individual.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11915 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

SUBTITLE V—RAIL PROGRAMS

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Editorial Notes

AMENDMENTS

2021—Pub. L. 117-58, div. B, title II, §22308(b), Nov. 15, 2021, 135 Stat. 733, added item for chapter 251.

Pub. L. 117-58, div. B, title I, §21301(i), Nov. 15, 2021, 135 Stat. 691, which directed amendment of the analysis for title 49, United States Code, by adding item for chapter 224 after item for chapter 223, was executed by adding such item to the analysis for this subtitle, to reflect the probable intent of Congress.

2019—Pub. L. 115-420, §7(a)(4), Jan. 3, 2019, 132 Stat. 5445, added item for chapter 229 and struck out item for chapter 244 “Rail improvement grants”.

2015—Pub. L. 114-94, div. A, title XI, §§11301(c)(3), 11303(b)(2), 11503(c), Dec. 4, 2015, 129 Stat. 1648, 1654, 1692, struck out item for chapter 225 “Federal grants to States for highway-rail grade crossing safety”, added item for chapter 242, and substituted “Rail improvement grants” for “Intercity Passenger Rail Service Corridor Capital Assistance” in item for chapter 244.

2008—Pub. L. 110-432, div. A, title II, §207(b), div. B, title III, §301(b), title IV, §401(b), Oct. 16, 2008, 122 Stat. 4875, 4946, 4956, added items for chapters 225, 244, and 285.

Pub. L. 110-432, div. B, title III, §303(b), Oct. 16, 2008, 122 Stat. 4951, which directed insertion of the item for chapter 227 after the item for chapter 223, was executed by making the insertion after the item for chapter 225 to reflect the probable intent of Congress.

2007—Pub. L. 110-140, title XI, §1112(b), Dec. 19, 2007, 121 Stat. 1759, substituted “Capital Grants for Class II and Class III Railroads” for “Light Density Rail Line Pilot Projects” in item for chapter 223.

1998—Pub. L. 105-178, title VII, §7202(b), June 9, 1998, 112 Stat. 471, added item for chapter 223.

1997—Pub. L. 105-134, title I, §106(a), Dec. 2, 1997, 111 Stat. 2573, struck out item for chapter 245 “Amtrak Commuter”.

1996—Pub. L. 104-287, §5(56)(B), Oct. 11, 1996, 110 Stat. 3394, added item for chapter 283.

1994—Pub. L. 103-440, title I, §103(b)(1), Nov. 2, 1994, 108 Stat. 4618, added part D and item for chapter 261,

¹ So in original. Probably should be “Railroad Rehabilitation and Improvement Financing”.

² So in original. Probably should be “State Rail Plans”.

³ So in original. Probably should be “Project Delivery”.

⁴ So in original. Probably should be “Passenger Rail Planning”.