

Act of 1978, Pub. L. 95-452, formerly set out in the Appendix to Title 5, Government Organization and Employees, which was transferred to this section, redesignated as text of section, and amended by Pub. L. 108-168, §8(a), (b)(1), was based on Pub. L. 106-159, title II, §228, Dec. 9, 1999, 113 Stat. 1773.

#### AMENDMENTS

2003—Pub. L. 108-168 renumbered section 228 of Pub. L. 106-159 as this section and substituted “Investigative authority of Inspector General” for “DOT Authority” in section catchline. See Codification note above.

### Statutory Notes and Related Subsidiaries

#### DEPOSIT OF FORFEITED FUNDS

Pub. L. 113-235, div. K, title I, Dec. 16, 2014, 128 Stat. 2724, provided in part: “That hereafter funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account [Office of Inspector General, Salaries and Expenses] for law enforcement activities authorized under the Inspector General Act of 1978, as amended [see 5 U.S.C. 401 et seq.], to remain available until expended.”

Similar provisions were contained in the following prior appropriation act:

Pub. L. 113-76, div. L, title I, Jan. 17, 2014, 128 Stat. 600.

### § 355. Motorcyclist Advisory Council

(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation (referred to in this section as the “Secretary”) shall establish a council, to be known as the “Motorcyclist Advisory Council” (referred to in this section as the “Council”).

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall be comprised of 13 members, to be appointed by the Secretary, of whom—

(A) 5 shall be representatives of units of State or local government with expertise relating to highway engineering and safety issues, including—

- (i) motorcycle and motorcyclist safety;
- (ii) barrier and road design, construction, and maintenance; or
- (iii) intelligent transportation systems;

(B) 1 shall be a motorcyclist who serves as a State or local—

- (i) traffic and safety engineer;
- (ii) design engineer; or
- (iii) other transportation department official;

(C) 1 shall be a representative of a national association of State transportation officials;

(D) 1 shall be a representative of a national motorcyclist association;

(E) 1 shall be a representative of a national motorcyclist foundation;

(F) 1 shall be a representative of a national motorcycle manufacturing association;

(G) 1 shall be a representative of a motorcycle manufacturing company headquartered in the United States;

(H) 1 shall be a roadway safety data expert with expertise relating to crash testing and analysis; and

(I) 1 shall be a member of a national safety organization that represents the traffic safety systems industry.

(2) TERM.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), each member shall serve on the Council for a single term of 2 years.

(B) ADDITIONAL TERM.—If a successor is not appointed for a member of the Council before the expiration of the term of service of the member, the member may serve on the Council for a second term of not longer than 2 years.

(C) APPOINTMENT OF REPLACEMENTS.—If a member of the Council resigns before the expiration of the 2-year term of service of the member—

(i) the Secretary may appoint a replacement for the member, who shall serve the remaining portion of the term; and

(ii) the resigning member may continue to serve after resignation until the date on which a successor is appointed.

(3) VACANCIES.—A vacancy on the Council shall be filled in the manner in which the original appointment was made.

(4) COMPENSATION.—A member of the Council shall serve without compensation.

(c) DUTIES.—

(1) ADVISING.—The Council shall advise the Secretary, the Administrator of the National Highway Traffic Safety Administration, and the Administrator of the Federal Highway Administration regarding transportation safety issues of concern to motorcyclists, including—

- (A) motorcycle and motorcyclist safety;
- (B) barrier and road design, construction, and maintenance practices; and
- (C) the architecture and implementation of intelligent transportation system technologies.

(2) BIENNIAL REPORT.—Not later than October 31 of the calendar year following the calendar year in which the Council is established, and not less frequently than once every 2 years thereafter, the Council shall submit to the Secretary a report containing recommendations of the Council regarding the issues described in paragraph (1).

(d) DUTIES OF SECRETARY.—

(1) COUNCIL RECOMMENDATIONS.—

(A) IN GENERAL.—The Secretary shall determine whether to accept or reject a recommendation contained in a report of the Council under subsection (c)(2).

(B) INCLUSION IN REVIEW.—

(i) IN GENERAL.—The Secretary shall indicate in each review under paragraph (2) whether the Secretary accepts or rejects each recommendation of the Council covered by the review.

(ii) EXCEPTION.—The Secretary may indicate in a review under paragraph (2) that a recommendation of the Council is under consideration, subject to the condition that a recommendation so under consider-

ation shall be accepted or rejected by the Secretary in the subsequent review of the Secretary under paragraph (2).

(2) REVIEW.—

(A) IN GENERAL.—Not later than 60 days after the date on which the Secretary receives a report from the Council under subsection (c)(2), the Secretary shall submit a review describing the response of the Secretary to the recommendations of the Council contained in the Council report to—

- (i) the Committee on Commerce, Science, and Transportation of the Senate;
- (ii) the Committee on Environment and Public Works of the Senate;
- (iii) the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies of the Committee on Appropriations of the Senate;
- (iv) the Committee on Transportation and Infrastructure of the House of Representatives; and
- (v) the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies of the Committee on Appropriations of the House of Representatives.

(B) CONTENTS.—A review of the Secretary under this paragraph shall include a description of—

- (i) each recommendation contained in the Council report covered by the review; and
- (ii)(I) each recommendation of the Council that was categorized under paragraph (1)(B)(ii) as being under consideration by the Secretary in the preceding review submitted under this paragraph; and
- (II) for each such recommendation, whether the recommendation—
  - (aa) is accepted or rejected by the Secretary; or
  - (bb) remains under consideration by the Secretary.

(3) ADMINISTRATIVE AND TECHNICAL SUPPORT.—The Secretary shall provide to the Council such administrative support, staff, and technical assistance as the Secretary determines to be necessary to carry out the duties of the Council under this section.

(e) TERMINATION.—The Council shall terminate on the date that is 6 years after the date on which the Council is established under subsection (a).

(Added Pub. L. 117–58, div. B, title IV, §24111(a), Nov. 15, 2021, 135 Stat. 812.)

**Editorial Notes**

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (a), is the date of enactment of Pub. L. 117–58, which was approved Nov. 15, 2021.

**CHAPTER 5—SPECIAL AUTHORITY**

SUBCHAPTER I—POWERS

- Sec. 501. Definitions and application.
- 502. General authority.

- Sec. 503. Service of notice and process on certain motor carriers of migrant workers and on motor private carriers.
- 504. Reports and records.
- 505. Arrangements and public records.
- 506. Authority to investigate.
- 507. Enforcement.
- 508. Safety performance history of new drivers; limitation on liability.

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- 521. Civil penalties.
- 522. Reporting and record keeping violations.
- 523. Unlawful disclosure of information.
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- 525. Disobedience to subpenas.<sup>1</sup>
- 526. General criminal penalty when specific penalty not provided.

**Editorial Notes**

AMENDMENTS

- 1998—Pub. L. 105–178, title IV, §4014(a)(2), June 9, 1998, 112 Stat. 411, added item 508.
- 1997—Pub. L. 105–102, §2(1), Nov. 20, 1997, 111 Stat. 2204, struck out “DUTIES AND” before “POWERS” in item for heading of subchapter I.

SUBCHAPTER I—POWERS

**Editorial Notes**

AMENDMENTS

- 1997—Pub. L. 105–102, §2(2), Nov. 20, 1997, 111 Stat. 2204, struck out “AND” before “POWERS”.
- 1995—Pub. L. 104–88, title III, §308(c)(1), Dec. 29, 1995, 109 Stat. 947, struck out “DUTIES” before “AND”.

**§ 501. Definitions and application**

- (a) In this chapter—
  - (1) the definitions in sections 10102 and 13102 of this title apply.
  - (2) “migrant worker” has the same meaning given that term in section 31501 of this title.
  - (3) “motor carrier of migrant workers” means a motor carrier of migrant workers subject to the jurisdiction of the Secretary of Transportation under section 31502(c) of this title.

(b) APPLICATION.—This chapter only applies in carrying out sections 20302(a)(1)(B) and (C), (2), and (3), (c), and (d)(1) and 20303 and chapters 205 (except section 20504(b)), 211, 213 (in carrying out those sections and chapters), and 315 of this title.

(Pub. L. 97–449, §1(b), Jan. 12, 1983, 96 Stat. 2431; Pub. L. 98–216, §2(2), Feb. 14, 1984, 98 Stat. 5; Pub. L. 102–548, §2(c), Oct. 28, 1992, 106 Stat. 3648; Pub. L. 103–272, §§4(j)(11)(A), 5(m)(9), July 5, 1994, 108 Stat. 1368, 1376; Pub. L. 104–88, title III, §308(c)(2), Dec. 29, 1995, 109 Stat. 947.)

HISTORICAL AND REVISION NOTES

PUB. L. 97–449

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
501(a) .....	(no source).	
501(b) .....	45:15.	Apr. 14, 1910, ch. 160, §6, 36 Stat. 299.
	49:26(g).	Feb. 4, 1887, ch. 104, 24 Stat. 379, §25(g); added Aug. 26, 1937, ch. 818, 50 Stat. 837; Sept. 18, 1940, ch. 722, §14(b), 54 Stat. 919.

<sup>1</sup> Section catchline amended by Pub. L. 112–141 without corresponding amendment of chapter analysis.