which the report is made unless the Secretary extends the filing date or changes the period covered by the report.

(2) The annual report and, if the Secretary requires, any other report made under this section shall be made under oath.

(f) No part of a report of an accident occurring in operations of a motor carrier, motor carrier of migrant workers, or motor private carrier and required by the Secretary, and no part of a report of an investigation of the accident made by the Secretary, may be admitted into evidence or used in a civil action for damages related to a matter mentioned in the report or investigation.

(Pub. L. 97–449, § 1(b), Jan. 12, 1983, 96 Stat. 2433; Pub. L. 105–178, title IV, § 4006(b), June 9, 1998, 112 Stat. 401; Pub. L. 112–141, div. C, title II, § 32501(a), July 6, 2012, 126 Stat. 802.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
504	49:304(a)(3) (last sentence) (related to ''Sec. 320(a) (1st, 2d sentences), (b)–(g)'').	Feb. 4, 1887, ch. 104, 24 Stat. 379, § 204(a)(3) (last sentence) (related to ''Sec. 220(a) (1st, 2d sentences), (b)–(g)''); added Aug. 9, 1935, ch. 498, 49 Stat. 546.
	49:304(a)(3a) (last sentence) (related to ''Sec. 320(a) (1st, 2d sentences), (b)–(g)'').	Feb. 4, 1887, ch. 104, 24 Stat. 379, § 204(a)(3a) (last sentence) (related to ''Sec. 220(a) (1st, 2d sentences), (b)–(g)''); added Aug. 3, 1956, ch. 905, § 2, 70 Stat. 958.
	49:1655(f)(2).	Oct. 15, 1966, Pub. L. 89–670, § 6(f)(2), 80 Stat. 940.
504(f)	49:320(f).	Feb. 4, 1887, ch. 104, 24 Stat. 379, § 220(f); added Sept. 18, 1940, ch. 722, § 24, 54 Stat. 926.

The section is included because 49:1655(f)(2) gave the same administrative powers exercised by the Interstate Commerce Commission under certain sections of title 49 to the Secretary of Transportation to carry out duties transferred to the Secretary by 49:1655(e). See the revision notes for section 501 of the revised title for an explanation of the transfer under 49:1655(f)(2). The powers of the Commission have been codified in subtitle IV of the revised title. The comparable provisions of title 49 that are represented by the section may be found as follows:

Section 504	*49 U.S. Code*	*Revised Section*
(a)(1), (3), and (4).	20(8).	3501, 11141
	320(e).	11141
(a)(2)	(no source).	
(b)(1)	20(5) (1st sentence), (6) (2d sentence, 1st cl.), (7)(b) (proviso).	11144
	320(d) (1st sentence).	11144
(b)(2)	20(1) (1st sentence less manner and form of reports), (6) (2d sentence, 2d cl.).	11145
	320(a) (1st sentence).	11145
(c)	20(5) (less 1st sentence), (6) (less 2d sentence).	11144
	320(d) (3d and 4th sentences).	11144
(d)	20(7)(b) (proviso).	11144
	320(d) (less 1st, 3d, and 4th sentences).	11144
(e)	20(1) (1st sentence related to manner and form of reports).	11145
	320(a) (2d sentence), (b).	11145

See the revision notes for the revised sections for an explanation of changes made in the text. Changes not accounted for in those revision notes are as follows:

The provisions of 49:320(c) are not included for motor carriers of migrant workers and motor private carriers because those provisions, while included in the enumeration in 49:304(a)(3) and (3a), are not included in the specific enumeration of 49:1655(f)(2)(B)(ii).

In the section, the text of 49:304(a)(3) (last sentence 1st–7th words) and (3a) (last sentence 1st–5th words) is omitted as executed. The text of 49:320(b) (related to 13-period accounting year) and (g) is not included because it was enacted after the effective date of the transfer authority under 49:1655.

In subsection (a), references to ''water line'' and ''pipe line'' are omitted as not applicable to this chapter. Clause (2) is added to provide a simple phrase to refer to all types of carriers to which the section applies.

In subsection (f), the words ''the course of the'' are omitted as surplus. The words ''civil action'' are substituted for ''suit or action'' because of rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.).

Editorial Notes

AMENDMENTS

2012—Subsec. (c). Pub. L. 112–141 inserted '', or an employee of the recipient of a grant issued under section 31102 of this title'' after ''a contractor'' and '', in person or in writing'' after ''proper credentials'' in introductory provisions.

1998—Subsec. (c). Pub. L. 105–178 inserted ''(and, in the case of a motor carrier, a contractor)'' after ''employee'' in introductory provisions.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–141 effective Oct. 1, 2012, see section 3(a) of Pub. L. 112–141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

§ 505. Arrangements and public records

(a) The Secretary of Transportation may require a motor carrier, motor carrier of migrant workers, or motor private carrier to file a copy of each arrangement related to a matter under this chapter that it has with another person. The Secretary may disclose the existence or contents of an arrangement between a motor contract carrier and a shipper filed under this section only if the disclosure is consistent with the public interest and is made as part of the record in a formal proceeding.

(b) Except as provided in subsection (a) of this section, all arrangements and statistics, tables, and figures contained in reports filed with the Secretary by a motor carrier under this chapter are public records. Such a public record, or a copy or extract of it, certified by the Secretary under seal is competent evidence in a proceeding of the Secretary, and, except as provided in section 504(f) of this title, in a judicial proceeding.

(Pub. L. 97–449, § 1(b), Jan. 12, 1983, 96 Stat. 2434.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
505	49:1655(f)(2).	Oct. 15, 1966, Pub. L. 89–670, § 6(f)(2), 80 Stat. 940.
505(a)	49:304(a)(3) (last sentence) (related to ''Sec. 320(a) (less 1st, 2d sentences)'').	Feb. 4, 1887, ch. 104, 24 Stat. 379, § 204(a)(3) (last sentence) (related to ''Sec. 220(a) (less 1st, 2d sentences)''); added Aug. 9, 1935, ch. 498, 49 Stat. 546.
	49:304(a)(3a) (last sentence) (related to ''Sec. 320(a) (less 1st, 2d sentences)'').	Feb. 4, 1887, ch. 104, 24 Stat. 379, § 204(a)(3a) (last sentence) (related to ''Sec. 220(a) (less 1st, 2d sentences)''); added Aug. 3, 1956, ch. 905, § 2, 70 Stat. 958.

The section is included because 49:1655(f)(2) gave the same administrative powers exercised by the Interstate Commerce Commission under certain sections of title 49 to the Secretary of Transportation to carry out duties transferred to the Secretary by 49:1655(e). See the revision notes for section 501 of the revised title for an explanation of the transfer under 49:1655(f)(2). The powers of the Commission have been codified in subtitle IV of the revised title. The comparable provisions of title 49 that are represented by the section may be found as follows:

Section 505	*49 U.S. Code*	*Revised Section*
(a)	320(a) (less 1st, 2d sentences).	10764
(b)	16(13).	10303
	304(d) (related to administrative matters).	10303

See the revision notes for the revised sections for an explanation of changes made in the text. Changes not accounted for in those revision notes are as follows:

In subsection (a), the text of 49:320(a) (proviso) is not included for motor carriers of migrant workers and motor private carriers because that provision, while included in the enumeration in 49:304(a)(3) and (3a), is not included in the specific enumeration of 49:1655(f)(2)(B)(ii). The text of 40:304(a)(3) (last sentence 1st–7th words) and (3a) (last sentence 1st–5th words) is omitted as executed. The words ''also'' and ''with it'' are omitted as surplus. The words ''contract, agreement, or'' are omitted as covered by ''arrangement''. The words ''carrier or'' are omitted as covered by ''person''. The words ''related to a matter under this chapter'' are substituted for ''in relation to any traffic affected by the provisions of this chapter'' for clarity because of section 501 of the revised title.

Subsection (b) does not apply to reports made to the Secretary by a rail carrier because 49:16(13) is not included in the specific enumeration of 49:1655(f)(2)(B)(ii). The subsection does not apply to motor carriers of migrant workers and motor private carriers because 49:304(d) only applies to motor carriers and 49:304(a)(3) and (3a) do not apply 49:304(d) to motor carriers of migrant workers and motor private carriers. References to schedules, classifications, and tariffs are omitted as not applicable to this chapter. The words ''Except as provided in subsection (a) of this section'' are added for clarity. The words ''except as provided in section 504(f) of this title'' are added for clarity and consistency because of the restatement of the chapter.

§ 506. Authority to investigate

(a) The Secretary of Transportation may begin an investigation under this chapter on the initiative of the Secretary or on complaint. If the Secretary finds that a rail carrier, motor carrier, motor carrier of migrant workers, or motor private carrier is violating this chapter, the Secretary shall take appropriate action to compel compliance with this chapter. The Secretary may take action only after giving the carrier notice of the investigation and an opportunity for a proceeding.

(b) A person, including a governmental authority, may file with the Secretary a complaint about a violation of this chapter by a carrier referred to in subsection (a) of this section. The complaint must state the facts that are the subject of the violation. The Secretary may dismiss a complaint the Secretary determines does not state reasonable grounds for investigation and action. However, the Secretary may not dismiss a complaint made against a rail carrier because of the absence of direct damage to the complainant.

(c) The Secretary shall make a written report of each proceeding involving a rail carrier or motor carrier conducted and furnish a copy to each party to that proceeding. The report shall include the findings, conclusions, and the order of the Secretary. The Secretary may have the reports published for public use. A published report of the Secretary is competent evidence of its contents.

(Pub. L. 97–449, § 1(b), Jan. 12, 1983, 96 Stat. 2434.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
506	49:1655(f)(2).	Oct. 15, 1966, Pub. L. 89–670, § 6(f)(2), 80 Stat. 940.
506(a), (b) ...	49:304(a)(3) (last sentence) (related to ''Sec. 304(c)'').	Feb. 4, 1887, ch. 104, 24 Stat. 379, § 204(a)(3) (last sentence) (related to ''Sec. 204(c)''); added Aug. 9, 1935, ch. 498, 49 Stat. 546; Sept. 18, 1940, ch. 722, § 20(b)(4), 54 Stat. 922.
	49:304(a)(3a) (last sentence) (related to ''Sec. 304(c)'').	Feb. 4, 1887, ch. 104, 24 Stat. 379, § 204(a)(3a) (last sentence) (related to ''Sec. 204(c)''); added Aug. 3, 1956, ch. 905, § 2, 70 Stat. 958.

The section is included because 49:1655(f)(2) gave the same administrative powers exercised by the Interstate Commerce Commission under certain sections of title 49 to the Secretary of Transportation to carry out duties transferred to the Secretary by 49:1655(e). See the revision notes for section 501 of the revised title for an explanation of the transfer under 49:1655(f)(2). The powers of the Commission have been codified in subtitle IV of the revised title. The comparable provisions of title 49 that are represented by the section may be found as follows:

Section 506	*49 U.S. Code*	*Revised Section*
(a)	13(1) (1st sentence less words before semicolon, last sentence), (2) (1st, 2d sentences).	11701
	304(c) (1st sentence words after 5th comma, 2d sentence).	11701
(b)	13(1) (1st sentence words before semicolon).	11701
	13(2) (less 1st, 2d sentences).	11701
	304(c) (less 1st sentence words after 5th comma, 2d sentence).	11701
(c)	14.	10310
	304(d) (related to reports).	10310

See the revision notes for the revised sections for an explanation of changes made in the text. Changes not accounted for in those revision notes are as follows:

In subsections (a) and (b), the text of 49:304(a)(3) (last sentence 1st–7th words) and (3a) (last sentence 1st–5th words) is omitted as executed.

Subsection (a) is patterned after 49:304(c). The words ''violating this chapter'' are substituted for ''failed to comply with any such provision or requirement'' for clarity.

In subsection (b), the text of 49:13(2) (last sentence) is omitted because 49:13(3) is not included in the specific enumeration of 49:1655(f)(2)(B)(ii). The words ''referred to in subsection (a) of this section'' are added for clarity.

Subsection (c) does not apply to motor carriers of migrant workers and motor private carriers because 49:304(d) applies only to motor carriers and 49:304(a)(3) and (3a) do not apply 49:304(d) to motor carriers of migrant workers and motor private carriers. The word ''proceeding'' is substituted for ''investigation'' for clarity and to conform to other sections of the revised title. The word ''findings'' is added for clarity. The word ''decision'' is omitted as covered by ''conclusions''. The words ''or requirement'' are omitted as covered by ''order''. The words ''in the premises'' are omitted as surplus. The words ''and in case damages are awarded, such report shall include the findings of fact on which the award is made'' are omitted as not appli-