

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

§ 524. Evasion of regulation of motor carriers

A person, or an officer, employee, or agent of that person, that by any means tries to evade regulation of motor carriers under this chapter, chapter 51, subchapter III of chapter 311 (except sections 31138 and 31139) or section 31302, 31303, 31304, 31305(b), 31310(g)(1)(A), or 31502 of this title, or a regulation issued under any of those provisions, shall be fined at least \$2,000 but not more than \$5,000 for the first violation and at least \$2,500 but not more than \$7,500 for a subsequent violation.

(Pub. L. 97–449, §1(b), Jan. 12, 1983, 96 Stat. 2437; Pub. L. 112–141, div. C, title II, §32505(a), July 6, 2012, 126 Stat. 804.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 524: 49:1655(f)(2), Oct. 15, 1966, Pub. L. 89–670, §6(f)(2), 80 Stat. 940.

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:

Table with 3 columns: Section 524, 49 U.S. Code, Revised Section. Row: 322(c) (related to evasion of regulation), 11906.

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

The section does not apply to motor carriers of migrant workers and motor private carriers because 49:322(c) (related to evasion of regulation) only applies to motor carriers and 49:304(a)(3) and (3a) do not apply 49:322(c) (related to evasion of regulation) to motor carriers of migrant workers and motor private carriers.

Editorial Notes

AMENDMENTS

2012—Pub. L. 112–141 struck out “knowingly and willfully” after “by any means”, inserted “, chapter 51, subchapter III of chapter 311 (except sections 31138 and 31139) or section 31302, 31303, 31304, 31305(b), 31310(g)(1)(A), or 31502 of this title, or a regulation issued under any of those provisions,” after “this chapter”, and substituted “\$2,000 but not more than \$5,000” for “\$200 but not more than \$500” and “\$2,500 but not more than \$7,500” for “\$250 but not more than \$2,000”.

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.

§ 525. Disobedience to subpoenas

A motor carrier, motor carrier of migrant workers, or motor private carrier not obeying a

subpoena or requirement of the Secretary of Transportation under this chapter to appear and testify or produce records shall be fined at least \$1,000 but not more than \$10,000, imprisoned for not more than one year, or both. The Secretary may withhold, suspend, amend, or revoke any part of the registration of a person required to register under chapter 139 for failing to obey a subpoena or requirement of the Secretary under this chapter to appear and testify or produce records.

(Pub. L. 97–449, §1(b), Jan. 12, 1983, 96 Stat. 2437; Pub. L. 112–141, div. C, title II, §32110, July 6, 2012, 126 Stat. 782.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 525: 49:304(a)(3) (last sentence) (related to “Sec. 305(d) (related to liability)”), 49:304(a)(3a) (last sentence) (related to “Sec. 305(d) (related to liability)”), 49:1655(f)(2), Feb. 4, 1887, ch. 104, 24 Stat., 379, §204(a)(3) (last sentence) (related to “Sec. 205(d) (related to liability)”), added Aug. 9, 1935, ch. 498, 49 Stat. 546, Feb. 4, 1887, ch. 104, 24 Stat. 379, §204(a)(3a) (last sentence) (related to “Sec. 205(d) (related to liability)”), added Aug. 3, 1956, ch. 905, §2, 70 Stat. 958, Oct. 15, 1966, Pub. L. 89–670, §6(f)(2), 80 Stat. 940.

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:

Table with 3 columns: Section 525, 49 U.S. Code, Revised Section. Row: 305(d) (related to liability), 11913.

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

The section does not apply to the liability of a rail carrier because 49:46 is not included in the specific enumeration of 49:1655(f)(2)(B)(ii). The text of 49:304(a)(3) (last sentence 1st–7th words) and (3a) (last sentence 1st–5th words) is omitted as executed. The words “under this chapter” are added for clarity.

Editorial Notes

AMENDMENTS

2012—Pub. L. 112–141 substituted “subpoenas” for “subpenas” in section catchline, and, in text, substituted “subpoena” for “subpena”, “\$1,000” for “\$100”, and “\$10,000” for “\$5,000” and inserted at end “The Secretary may withhold, suspend, amend, or revoke any part of the registration of a person required to register under chapter 139 for failing to obey a subpoena or requirement of the Secretary under this chapter to appear and testify or produce records.”

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.