

for each of fiscal years 2021 through 2023 to carry out section 6106.

(Added Pub. L. 105-178, title VII, § 7302(a), June 9, 1998, 112 Stat. 482; amended Pub. L. 107-355, § 2(d), Dec. 17, 2002, 116 Stat. 2986; Pub. L. 109-468, § 18(d), Dec. 29, 2006, 120 Stat. 3498; Pub. L. 112-90, § 32(c), Jan. 3, 2012, 125 Stat. 1922; Pub. L. 114-183, § 2(c)(1), June 22, 2016, 130 Stat. 516; Pub. L. 116-260, div. R, title I, § 101(c), Dec. 27, 2020, 134 Stat. 2213.)

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-260 substituted “\$1,058,000 for each of fiscal years 2021 through 2023” for “\$1,058,000 for each of fiscal years 2016 through 2019”.

2016—Pub. L. 114-183 amended section generally. Prior to amendment, text read as follows:

“(a) FOR GRANTS TO STATES.—There are authorized to be appropriated to the Secretary to provide grants to States under section 6106 \$1,000,000 for each of fiscal years 2012 through 2015. Such funds shall remain available until expended.

“(b) FOR ADMINISTRATION.—There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out sections 6103, 6104, and 6105 for fiscal years 2012 through 2015.”

2012—Subsecs. (a), (b). Pub. L. 112-90, § 32(c)(1), (2), substituted “2012 through 2015.” for “2007 through 2010.”

Subsec. (c). Pub. L. 112-90, § 32(c)(3), struck out subsec. (c). Text read as follows: “Any sums appropriated under this section shall be derived from general revenues and may not be derived from amounts collected under section 60301 of this title.”

2006—Subsecs. (a), (b). Pub. L. 109-468 substituted “fiscal years 2007 through 2010” for “fiscal years 2003 through 2006”.

2002—Subsec. (a). Pub. L. 107-355, § 2(d)(1), substituted “\$1,000,000 for each of fiscal years 2003 through 2006” for “\$1,000,000 for fiscal year 2000 and \$5,000,000 for fiscal year 2001” in first sentence.

Subsec. (b). Pub. L. 107-355, § 2(d)(2), substituted “for fiscal years 2003 through 2006” for “for fiscal years 1999, 2000, and 2001”.

§ 6108. Relationship to State laws

Nothing in this chapter preempts State law or shall impose a new requirement on any State or mandate revisions to a one-call system.

(Added Pub. L. 105-178, title VII, § 7302(a), June 9, 1998, 112 Stat. 482.)

§ 6109. Public education and awareness

(a) GRANT AUTHORITY.—The Secretary shall make a grant to an appropriate entity for promoting public education and awareness with respect to the 811 national excavation damage prevention phone number.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$1,000,000 for the period beginning October 1, 2006, and ending September 30, 2008, to carry out this section.

(Added Pub. L. 109-468, § 3(a), Dec. 29, 2006, 120 Stat. 3489.)

CHAPTER 63—BUREAU OF TRANSPORTATION STATISTICS

Sec.
6301. Definitions.

Sec.
6302. Bureau of Transportation Statistics.
6303. Intermodal transportation database.
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6306. Transportation statistical collection, analysis, and dissemination.
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Editorial Notes

AMENDMENTS

2015—Pub. L. 114-94, div. A, title VI, § 6018(c), Dec. 4, 2015, 129 Stat. 1577, added item 6314.

§ 6301. Definitions

In this chapter, the following definitions apply:

(1) BUREAU.—The term “Bureau” means the Bureau of Transportation Statistics established by section 6302(a).

(2) DEPARTMENT.—The term “Department” means the Department of Transportation.

(3) DIRECTOR.—The term “Director” means the Director of the Bureau.

(4) LIBRARY.—The term “Library” means the National Transportation Library established by section 6304(a).

(5) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(Added Pub. L. 112-141, div. E, title II, § 52011(a), July 6, 2012, 126 Stat. 887.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 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.

CONSTRUCTION

Pub. L. 112-141, div. E, title II, § 52011(b), July 6, 2012, 126 Stat. 895, provided that: “If the provisions of section 111 of title 49, United States Code, are transferred to chapter 63 of that title, the following rules of construction apply:

“(1) For purposes of determining whether 1 provision of law supersedes another based on enactment later in time, a chapter 63 provision is deemed to have been enacted on the date of enactment of the corresponding section 111 provision [section 111 of this title was enacted Dec. 18, 1991].

“(2) A reference to a section 111 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding chapter 63 provision.

“(3) A regulation, order, or other administrative action in effect under a section 111 provision continues in effect under the corresponding chapter 63 provision.

“(4) An action taken or an offense committed under a section 111 provision is deemed to have been taken or committed under the corresponding chapter 63 provision.”

§ 6302. Bureau of Transportation Statistics

(a) IN GENERAL.—There shall be within the Department of Transportation the Bureau of Transportation Statistics.

(b) DIRECTOR.—

(1) APPOINTMENT.—The Bureau shall be headed by a Director, who shall be appointed in the competitive service by the Secretary.

(2) QUALIFICATIONS.—The Director shall be appointed from among individuals who are qualified to serve as the Director by virtue of their training and experience in the collection, analysis, and use of transportation statistics.

(3) DUTIES.—

(A) IN GENERAL.—The Director shall—

(i) serve as the senior advisor to the Secretary on data and statistics; and

(ii) be responsible for carrying out the duties described in subparagraph (B).

(B) DUTIES.—The Director shall—

(i) ensure that the statistics compiled under clause (vi) are designed to support transportation decisionmaking by—

(I) the Federal Government;

(II) State and local governments;

(III) metropolitan planning organizations;

(IV) transportation-related associations;

(V) the private sector, including the freight community; and

(VI) the public;

(ii) establish on behalf of the Secretary a program—

(I) to effectively integrate safety data across modes; and

(II) to address gaps in existing safety data programs of the Department;

(iii) work with the operating administrations of the Department—

(I) to establish and implement the data programs of the Bureau; and

(II) to improve the coordination of information collection efforts with other Federal agencies;

(iv) continually improve surveys and data collection methods of the Department to improve the accuracy and utility of transportation statistics;

(v) encourage the standardization of data, data collection methods, and data management and storage technologies for data collected by—

(I) the Bureau;

(II) the operating administrations of the Department;

(III) State and local governments;

(IV) metropolitan planning organizations; and

(V) private sector entities;

(vi) collect, compile, analyze, and publish a comprehensive set of transportation statistics on the performance and impacts of the national transportation system, including statistics on—

(I) transportation safety across all modes and intermodally;

(II) the state of good repair of United States transportation infrastructure;

(III) the extent, connectivity, and condition of the transportation system, building on the national transportation atlas database developed under section 6309;

(IV) economic efficiency across the entire transportation sector;

(V) employment in the transportation sector;

(VI) the effects of the transportation system, including advanced technologies and automation, on global and domestic economic competitiveness;

(VII) demographic, economic, and other variables influencing travel behavior, including choice of transportation mode and goods movement;

(VIII) transportation-related variables that influence the domestic economy and global competitiveness;

(IX) economic costs and impacts for passenger travel and freight movement;

(X) intermodal and multimodal passenger movement;

(XI) intermodal and multimodal freight movement; and

(XII) consequences of transportation for the human and natural environment;

(vii) build and disseminate the transportation layer of the National Spatial Data Infrastructure developed under Executive Order 12906 (59 Fed. Reg. 17671) (or a successor Executive Order), including by coordinating the development of transportation geospatial data standards, compiling intermodal geospatial data, and collecting geospatial data that is not being collected by other entities;

(viii) issue guidelines for the collection of information by the Department that the Director determines necessary to develop transportation statistics and carry out modeling, economic assessment, and program assessment activities to ensure that such information is accurate, reliable, relevant, uniform, and in a form that permits systematic analysis by the Department;

(ix) review and report to the Secretary on the sources and reliability of—

(I) the statistics proposed by the heads of the operating administrations of the Department to measure outputs and outcomes as required by the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285); and

(II) at the request of the Secretary, any other data collected or statistical information published by the heads of the operating administrations of the Department; and

(x) ensure that the statistics published under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.

(c) ACCESS TO FEDERAL DATA.—In carrying out subsection (b)(3)(B)(ii), the Director shall be given access to all safety data that the Director determines necessary to carry out that subsection that is held by the Department or any other Federal agency upon written request and subject to any statutory or regulatory restrictions.

(d) INDEPENDENCE OF BUREAU.—

(1) IN GENERAL.—The Director shall not be required—

(A) to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information; or

(B) prior to publication, to obtain the approval of any other officer or employee of the United States Government with respect to the substance of any statistical technical reports or press releases lawfully prepared by the Director.

(2) BUDGET AUTHORITY.—The Director shall have a significant role in the disposition and allocation of the authorized budget of the Bureau, including—

(A) all hiring, grants, cooperative agreements, and contracts awarded by the Bureau to carry out this section; and

(B) the disposition and allocation of amounts paid to the Bureau for cost-reimbursable projects.

(3) EXCEPTIONS.—The Secretary shall direct external support functions, such as the coordination of activities involving multiple modal administrations.

(4) INFORMATION TECHNOLOGY.—The Department Chief Information Officer shall consult with the Director to ensure decisions related to information technology guarantee the protection of the confidentiality of information provided solely for statistical purposes, in accordance with section 3572 of title 44.

(Added Pub. L. 112–141, div. E, title II, §52011(a), July 6, 2012, 126 Stat. 887; amended Pub. L. 114–94, div. A, title I, §1446(b), title VI, §§6011(d)(2), 6017, Dec. 4, 2015, 129 Stat. 1438, 1570, 1575; Pub. L. 115–435, title III, §302(c)(3)(A), Jan. 14, 2019, 132 Stat. 5553; Pub. L. 117–58, div. B, title V, §25004(b), Nov. 15, 2021, 135 Stat. 839.)

Editorial Notes

REFERENCES IN TEXT

Executive Order 12906, referred to in subsec. (b)(3)(B)(vii), is Ex. Ord. No. 12906, Apr. 11, 1994, 59 F.R. 17671, which is set out as a note under section 1457 of Title 43, Public Lands.

The Government Performance and Results Act of 1993, referred to in subsec. (b)(3)(B)(ix)(I), is Pub. L. 103–62, Aug. 3, 1993, 107 Stat. 285, which enacted section 306 of Title 5, Government Organization and Employees, sections 1115 to 1119, 9703, and 9704 of Title 31, Money and Finance, and sections 2801 to 2805 of Title 39, Postal Service, amended section 1105 of Title 31, and enacted provisions set out as notes under sections 1101 and 1115 of Title 31. For complete classification of this Act to the Code, see Short Title of 1993 Amendment note set out under section 1101 of Title 31 and Tables.

AMENDMENTS

2021—Subsec. (b)(3)(B)(vi)(V) to (XII). Pub. L. 117–58 added subcls. (V) and (VI), redesignated former subcls. (VI) to (XI) as (VII) to (XII), respectively, and struck out former subcl. (V) which read as follows: “the effects of the transportation system on global and domestic economic competitiveness;”.

2019—Subsec. (d)(4). Pub. L. 115–435 substituted “section 3572 of title 44.” for “the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107–347).”

2015—Subsec. (a). Pub. L. 114–94, §6011(d)(2), added subsec. (a) and struck out former subsec. (a) which related to establishment of the Bureau of Transportation Statistics.

Subsec. (b)(3)(B)(vi)(III). Pub. L. 114–94, §1446(b), substituted “6309” for “6310”.

Subsec. (d). Pub. L. 114–94, §6017, added subsec. (d).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 115–435 effective 180 days after Jan. 14, 2019, see section 403 of Pub. L. 115–435, set out as a note under section 306 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–94 effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as a note under section 5313 of Title 5, Government Organization and Employees.

EFFECTIVE DATE

Section 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.

TRANSITIONAL AND SAVINGS PROVISIONS

For transitional and savings provisions related to the amendment of this section and other provisions of law by title III of Pub. L. 115–435, see section 302(d) of Pub. L. 115–435, set out as a note under section 3561 of Title 44, Public Printing and Documents.

BUREAU OF TRANSPORTATION STATISTICS

Pub. L. 118–63, title V, §511, May 16, 2024, 138 Stat. 1194, provided that:

“(a) RULEMAKING.—Not later than 60 days after the date of enactment of this Act [May 16, 2024], the Director of the Bureau of Transportation Statistics shall initiate a rulemaking to revise section 234.4 of title 14, Code of Federal Regulations, to create a new ‘cause of delay’ category (or categories) that identifies and tracks information on delays and cancellations of air carriers (as defined in section 40102 of title 49, United States Code) that are due to instructions from the FAA [Federal Aviation Administration] Air Traffic Control System and to make any other changes necessary to carry out this section.

“(b) AIR CARRIER CODE.—The following causes shall not be included within the Air Carrier code specified in section 234.4 of title 14, Code of Federal Regulations, for cancelled and delayed flights:

“(1) Aircraft cleaning necessitated by the death of a passenger.

“(2) Aircraft damage caused by extreme weather, foreign object debris, or sabotage.

“(3) A baggage or cargo loading delay caused by an outage of a bag system not controlled by a carrier or its contractor.

“(4) Cybersecurity attacks (provided that the air carrier is in compliance with applicable cybersecurity regulations).

“(5) A shutdown or system failure of government systems that directly affects the ability of an air carrier to safely conduct flights and is unexpected.

“(6) Overheated brakes due to a safety incident resulting in the use of emergency procedures.

“(7) Unscheduled maintenance, including in response to an airworthiness directive, manifesting outside a scheduled maintenance program that cannot be deferred or must be addressed before flight.

“(8) An emergency that required medical attention through no fault of the carrier.

“(9) The removal of an unruly passenger.

“(10) An airport closure due to the presence of volcanic ash, wind, or wind shear.

“(c) FAMILY SEATING COMPLAINTS.—

“(1) IN GENERAL.—The Director of the Bureau of Transportation Statistics shall update the reporting framework of the Bureau to create a new category to

identify and track information on complaints related to family seating.

“(2) SUNSET.—The requirements in paragraph (1) shall cease to be effective on the date on which the rulemaking required by section 513 [of Pub. L. 118–63, 49 U.S.C. 42301 note prec.] is effective.

“(d) AIR TRAVEL CONSUMER REPORT.—

“(1) ATCSCC DELAYS.—The Secretary [of Transportation] shall include information on delays and cancellations that are due to instructions from the FAA Air Traffic Control System Command Center in the Air Travel Consumer Report issued by the Office of Aviation Consumer Protection of the Department of Transportation.

“(2) FAMILY SEATING COMPLAINTS.—The Secretary shall include information on complaints related to family seating—

“(A) in the Air Travel Consumer Report issued by the Office of Aviation Consumer Protection of the Department of Transportation; and

“(B) on the family seating dashboard required by subsection (a)(2).

“(3) SUNSET.—The requirements in paragraph (2) shall cease to be effective on the date on which the rulemaking required by section 513 is effective.”

FEDERAL SUPPORT FOR LOCAL DECISIONMAKING

Pub. L. 117–58, div. B, title V, §25003, Nov. 15, 2021, 135 Stat. 838, provided that:

“(a) LOCAL OUTREACH.—To determine the data analysis tools needed to assist local communities in making infrastructure decisions, the Director of the Bureau of Transportation Statistics shall perform outreach to planning and infrastructure decision-making officials in units of local government and other units of government, including a geographically diverse group of individuals from—

“(1) States;

“(2) political subdivisions of States;

“(3) cities;

“(4) metropolitan planning organizations;

“(5) regional transportation planning organizations; and

“(6) federally recognized Indian Tribes.

“(b) WORK PLAN.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act [Nov. 15, 2021], based on the outreach performed under subsection (a), the Director of the Bureau of Transportation Statistics shall submit to the Secretary [of Transportation] a work plan for reviewing and updating existing data analysis tools and developing any additional data analysis tools needed to assist local communities with making infrastructure investment decisions.

“(2) CONTENTS.—Based on the needs identified pursuant to the outreach performed under subsection (a), the work plan submitted under paragraph (1) shall include—

“(A) a description of the data analysis tools identified that would benefit infrastructure decision-making by local governments and address the goals described in subsection (c);

“(B) a review of the datasets that local governments need to effectively use the data analysis tools described in subparagraph (A);

“(C) an identification of existing or proposed data analysis tools that use publicly available data;

“(D) the estimated cost of obtaining each dataset described in subparagraph (B);

“(E) the estimated cost to develop the data analysis tools described in subparagraph (A);

“(F) a prioritization for the development of data analysis tools described in subparagraph (A); and

“(G) a determination as to whether it would be appropriate for the Federal Government to develop the data analysis tools described in subparagraph (A).

“(c) GOALS.—

“(1) IN GENERAL.—A data analysis tool created pursuant to the work plan submitted under subsection

(b)(1) shall be developed to help inform local communities in making infrastructure investments.

“(2) SPECIFIC ISSUES.—A data analysis tool created pursuant to the work plan submitted under subsection (b)(1) shall be intended to help units of local government and other units of government address 1 or more of the following:

“(A) Improving maintenance of existing assets.

“(B) Rebuilding infrastructure to a state of good repair.

“(C) Creating economic development through infrastructure development.

“(D) Establishing freight plans and infrastructure that connects the community to supply chains.

“(E) Increasing options for communities that lack access to affordable transportation to improve access to jobs, affordable housing, schools, medical services, foods and other essential community services.

“(F) Reducing congestion.

“(G) Improving community resilience to extreme weather events.

“(H) Any other subject, as the Director determines to be necessary.

“(d) IMPLEMENTATION.—Subject to the availability of appropriations, the Secretary shall develop data analysis tools and purchase datasets as prioritized in the work plan.

“(e) COORDINATION.—The Director of the Bureau of Transportation Statistics may utilize existing working groups or advisory committees to perform the local outreach required under subsection (a).”

OFFICE OF AIRLINE INFORMATION

Pub. L. 106–181, title I, §103(b), Apr. 5, 2000, 114 Stat. 67, provided that: “There is authorized to be appropriated from the Airport and Airway Trust Fund to the Secretary [of Transportation] \$4,000,000 for fiscal years beginning after September 30, 2000, to fund the activities of the Office of Airline Information in the Bureau of Transportation Statistics of the Department of Transportation.”

§ 6303. Intermodal transportation database

(a) IN GENERAL.—In consultation with the Under Secretary Transportation for Policy, the Assistant Secretaries of the Department, and the heads of the operating administrations of the Department, the Director shall establish and maintain a transportation database for all modes of transportation.

(b) USE.—The database established under this section shall be suitable for analyses carried out by the Federal Government, the States, and metropolitan planning organizations.

(c) CONTENTS.—The database established under this section shall include—

(1) information on the volumes and patterns of movement of goods, including local, inter-regional, and international movement, by all modes of transportation, intermodal combinations, and relevant classification;

(2) information on the volumes and patterns of movement of people, including local, inter-regional, and international movements, by all modes of transportation (including bicycle and pedestrian modes), intermodal combinations, and relevant classification;

(3) information on the location and connectivity of transportation facilities and services; and

(4) a national accounting of expenditures and capital stocks on each mode of transportation and intermodal combination.

(Added Pub. L. 112–141, div. E, title II, §52011(a), July 6, 2012, 126 Stat. 890.)