

The Civil Rights Act of 1964, referred to in subsec. (d)(3), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Act is classified generally to subchapter V (§2000d et seq.) of chapter 21 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of Title 42 and Tables.

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-272 substituted “section 332 or 333 or chapter 221 or 249 of this title, section 211 or 216 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 721, 726), or title V of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq.)” for “section 332 or 333 of this title, section 211 or 216 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 721, 726), title V or VII of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 821 et seq., 851 et seq.), or section 4(i) or 5 of the Department of Transportation Act (49 U.S.C. 1653(i), 1654)”.

1984—Subsec. (b). Pub. L. 98-216 substituted “section 332 or 333 of this title” for “section 332 of this title” and “49 App. U.S.C.” for “49 U.S.C.”.

§ 307. Safety information and intervention in Interstate Commerce Commission proceedings

(a) The Secretary of Transportation shall inspect promptly the safety compliance record in the Department of Transportation of each person applying to the Interstate Commerce Commission for authority to provide transportation or freight forwarder service. The Secretary shall report the findings of the inspection to the Commission.

(b) When the Secretary is not satisfied with the safety record of a person applying for permanent authority to provide transportation or freight forwarder service, or for approval of a proposed transfer of permanent authority, the Secretary shall intervene and present evidence of the fitness of the person to the Commission in its proceedings.

(c) When requested by the Commission, the Secretary shall—

- (1) provide the Commission with a complete report on the safety compliance of a carrier providing transportation or freight forwarder service subject to its jurisdiction;
- (2) provide promptly a statement of the safety record of a person applying to the Commission for temporary authority to provide transportation;
- (3) intervene and present evidence in a proceeding in which a finding of fitness is required; and
- (4) make additional safety compliance surveys and inspections the Commission decides are desirable to allow it to act on an application or to make a finding on the fitness of a carrier.

(Pub. L. 97-449, §1(b), Jan. 12, 1983, 96 Stat. 2421.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
307(a)	49:1653(e)(1).	Oct. 15, 1966, Pub. L. 89-670, §4(e), 80 Stat. 934.
307(b)	49:1653(e)(2).	
307(c)	49:1653(e)(3), (4).	

In the section, the words “be the duty of” before “Secretary shall” are omitted as surplus.

In subsection (a), the word “inspect” is substituted for “investigate” as being more appropriate. The words

“person applying to the Interstate Commerce Commission for authority to provide transportation or freight forwarder service” are substituted for “applicant seeking operating authority from the Interstate Commerce Commission” as being more precise and to conform to subtitle IV of the revised title. The words “of the inspection” are inserted for clarity.

In subsection (b), the words “person applying for permanent authority to provide transportation or freight forwarder service” are substituted for “applicant for permanent operating authority” as being more precise and to conform to subtitle IV of the revised title. The words “proposed transfer of permanent authority” are substituted for “proposed transaction involving transfer of operating authority” to eliminate surplus words and for clarity because the transfer only involves permanent authority.

In subsection (c)(1), the words “providing transportation or freight forwarder service subject to its jurisdiction” are inserted for clarity.

Subsection (c)(2) is substituted for 49:1653(e)(3) for clarity and to conform to subtitle IV of the revised title. The words “freight forwarder service” are not used because the law does not provide for temporary authority for freight forwarders.

In subsection (c)(3) and (4), the word “finding” is substituted for “determination” to conform to subtitle IV of the revised title.

In subsection (c)(3), the words “necessary or” before “desirable” are omitted as surplus.

ABOLITION OF INTERSTATE COMMERCE COMMISSION AND TRANSFER OF FUNCTIONS

Interstate Commerce Commission abolished and functions of Commission transferred, except as otherwise provided in Pub. L. 104-88, to Surface Transportation Board effective Jan. 1, 1996, by section 702 of this title, and section 101 of Pub. L. 104-88, set out as a note under section 701 of this title. References to Interstate Commerce Commission deemed to refer to Surface Transportation Board, a member or employee of the Board, or Secretary of Transportation, as appropriate, see section 205 of Pub. L. 104-88, set out as a note under section 701 of this title.

§ 308. Reports

(a) As soon as practicable after the end of each fiscal year, the Secretary of Transportation shall report to the President, for submission to Congress, on the activities of the Department of Transportation during the prior fiscal year.

(b) The Secretary shall submit to the President and Congress each year a report on the aviation activities of the Department. The report shall include—

- (1) collected information the Secretary considers valuable in deciding questions about—
 - (A) the development and regulation of civil aeronautics;
 - (B) the use of airspace of the United States; and
 - (C) the improvement of the air navigation and traffic control system; and
- (2) recommendations for additional legislation and other action the Secretary considers necessary.

(c) The Secretary shall submit to Congress each year a report on the conditions of the public ports of the United States, including the—

- (1) economic and technological development of the ports;
- (2) extent to which the ports contribute to the national welfare and security; and
- (3) factors that may impede the continued development of the ports.