

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.

[(d) Repealed. Pub. L. 104-66, title I, §1121(h), Dec. 21, 1995, 109 Stat. 724.]

(e)(1) The Secretary shall submit to Congress in March 1998, and in March of each even-numbered year thereafter, a report of estimates by the Secretary on the current performance and condition of public mass transportation systems with recommendations for necessary administrative or legislative changes.

(2) In reporting to Congress under this subsection, the Secretary shall prepare a complete assessment of public transportation facilities in the United States. The Secretary also shall assess future needs for those facilities and estimate future capital requirements and operation and maintenance requirements for one-year, 5-year, and 10-year periods at specified levels of service.

(Pub. L. 97-449, §1(b), Jan. 12, 1983, 96 Stat. 2422; Pub. L. 98-216, §2(1)(A), Feb. 14, 1984, 98 Stat. 4; Pub. L. 104-66, title I, §1121(h), Dec. 21, 1995, 109 Stat. 724; Pub. L. 105-362, title XV, §1502(c), Nov. 10, 1998, 112 Stat. 3295.)

HISTORICAL AND REVISION NOTES
PUB. L. 97-449

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308(a)	45:792. 49:1658.	Jan. 2, 1974, Pub. L. 93-236, §602, 87 Stat. 1022. Oct. 15, 1966, Pub. L. 89-670, §12, 80 Stat. 949; Feb. 5, 1976, Pub. L. 94-210, §906(1), 90 Stat. 149. Aug. 23, 1958, Pub. L. 85-726, §313(e), 72 Stat. 753.
308(b)	49:1354(e).	Oct. 3, 1980, Pub. L. 96-371, §2, 94 Stat. 1362; Aug. 6, 1981, Pub. L. 97-31, §12(8), 95 Stat. 154.
308(c)	15:1519a.	

In subsection (a), the words “As part of his annual report each year” in 45:792 are omitted as unnecessary because of the restatement of the source provisions.

In subsection (b), before clause (1), the words “aviation activities of the Department” are substituted for “work performed under this chapter” because of the restatement. The words “The report shall include” are substituted for “Such report shall contain” for consistency. In clause (1), the words “and data” after “information” are omitted as surplus. The words “airspace of the United States” are substituted for “National airspace” for clarity and consistency. In clause (2), the words “the Secretary considers necessary” are substituted for “as may be considered” for clarity.

PUB. L. 98-216

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
308(d)	49 App.:1654a.	Oct. 14, 1980, Pub. L. 96-448, §409, 94 Stat. 1948; Dec. 21, 1982, Pub. L. 97-375, §210(a), 96 Stat. 1825.
308(e)	49 App.:1601c.	Jan. 6, 1983, Pub. L. 97-424, §310, 96 Stat. 2151.

This [deletion of the last sentence of subsection (a)] is necessary because section 111(b) of the Congressional Reports Elimination Act of 1982 (Pub. L. 97-375, 96 Stat. 1821) repealed section 602 of the Regional Rail Reorganization Act of 1973 (Pub. L. 93-236, 87 Stat. 1022), which was restated as section 308(a) (last sentence) of title 49 by section 1 of the Act of January 12, 1983 (Pub. L. 97-449, 96 Stat. 2413).

In subsection (e)(1), the words “January of each even-numbered year” are substituted for “January of 1984 and in January of every second year thereafter” to eliminate unnecessary words.

AMENDMENTS

1998—Subsec. (e)(1). Pub. L. 105-362 substituted “submit to Congress in March 1998, and in March of each even-numbered year thereafter, a report” for “submit a report to Congress in January of each even-numbered year”.

1995—Subsec. (d). Pub. L. 104-66 struck out subsec. (d) which related to reports to Congress listing assistance provided by Government to railroad industry.

1984—Pub. L. 98-216, §2(1)(A)(i), substituted “Reports” for “Annual reports” in section catchline.

Subsec. (a). Pub. L. 98-216, §2(1)(A)(ii), struck out requirement that the report include a complete statement on the effectiveness of the United States Railway Association and the Consolidated Rail Corporation in carrying out the purposes of the Regional Rail Reorganization Act of 1973.

Subsecs. (d), (e). Pub. L. 98-216, §2(1)(A)(iii), added subsecs. (d) and (e).

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which reporting provisions contained in subsecs. (a) and (b) of this section and, as subsequently amended, subsec. (e) of this section, are listed, respectively, as the 11th item on page 133, the last item on page 132, and the 5th item on page 138), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

ANNUAL REPORT ON SAFETY ENFORCEMENT ACTIVITIES OF FEDERAL AVIATION ADMINISTRATION

Pub. L. 100-202, §101(l) [title III, §317(a)], Dec. 22, 1987, 101 Stat. 1329-358, 1329-380, and Pub. L. 100-457, title III, §317(a), Sept. 30, 1988, 102 Stat. 2148, which required Secretary of Transportation to transmit to Congress an annual report on Federal Aviation Administration's prior safety enforcement activities including staffing level comparisons, inspector experience and training schedules, criteria used to set annual work programs, annual inspection comparisons, statement of adequacy of internal management controls, status of regulatory changes, list of specific operational measures of effectiveness, schedule showing number of civil penalty cases closed, schedule showing number of enforcement actions taken, and schedules showing aviation industry's safety record, were repealed and reenacted as section 44723 of this title by Pub. L. 103-272, §§1(e), 7(b), July 5, 1994, 108 Stat. 1202, 1379.

§ 309. High-speed ground transportation

(a) The Secretary of Transportation, in consultation with the Secretaries of Commerce, Energy, and Defense, the Administrator of the Environmental Protection Agency, the Assistant Secretary of the Army for Public Works, and the heads of other interested agencies, shall lead and coordinate Federal efforts in the research and development of high-speed ground transportation technologies in order to foster the implementation of magnetic levitation and high-speed steel wheel on rail transportation systems as alternatives to existing transportation systems.

(b)(1) The Secretary may award contracts and grants for demonstrations to determine the contributions that high-speed ground transportation could make to more efficient, safe, and economical intercity transportation systems. Such demonstrations shall be designed to measure and evaluate such factors as the public response to new equipment, higher speeds, variations in fares, improved comfort and convenience, and more frequent service. In connection