

maintains an alternative one-call notification program that provides protection for public safety, excavators, and the environment that is equivalent to, or greater than, protection provided under a program that meets the minimum standards set forth in section 6103.

(d) REPORT.—The Secretary shall include the following information in reports submitted under section 60124 of this title—

(1) a description of the extent to which each State has adopted and implemented the minimum Federal standards under section 6103 or maintains an alternative program under subsection (c);

(2) an analysis by the Secretary of the overall effectiveness of each State's one-call notification program and the one-call notification systems operating under such program in achieving the purposes of this chapter;

(3) the impact of each State's decisions on the extent of required participation in one-call notification systems on prevention of damage to underground facilities; and

(4) areas where improvements are needed in one-call notification systems in operation in each State.

The report shall also include any recommendations the Secretary determines appropriate. If the Secretary determines that the purposes of this chapter have been substantially achieved, no further report under this section shall be required.

(Added Pub. L. 105-178, title VII, § 7302(a), June 9, 1998, 112 Stat. 479; amended Pub. L. 107-355, § 2(b), Dec. 17, 2002, 116 Stat. 2985.)

REFERENCES IN TEXT

The date of the enactment of this chapter, referred to in subsec. (a), is the date of enactment of Pub. L. 105-178, which was approved June 9, 1998.

AMENDMENTS

2002—Subsec. (d). Pub. L. 107-355 substituted “The Secretary shall” for “Within 3 years after the date of the enactment of this chapter, the Secretary shall begin to” in introductory provisions.

§ 6105. Implementation of best practices guidelines

(a) ADOPTION OF BEST PRACTICES.—The Secretary of Transportation shall encourage States, operators of one-call notification programs, excavators (including all government and contract excavators), and underground facility operators to adopt and implement practices identified in the best practices report entitled “Common Ground”, as periodically updated.

(b) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to and participate in programs sponsored by a non-profit organization specifically established for the purpose of reducing construction-related damage to underground facilities.

(c) GRANTS.—

(1) IN GENERAL.—The Secretary may make grants to a non-profit organization described in subsection (b).

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized under section 6107, there is authorized to be appropriated for making grants under this subsection \$500,000

for each of fiscal years 2003 through 2006. Such sums shall remain available until expended.

(3) GENERAL REVENUE FUNDING.—Any sums appropriated under this subsection shall be derived from general revenues and may not be derived from amounts collected under section 60301.

(Added Pub. L. 105-178, title VII, § 7302(a), June 9, 1998, 112 Stat. 480; amended Pub. L. 107-355, § 2(c)(1), Dec. 17, 2002, 116 Stat. 2985.)

AMENDMENTS

2002—Pub. L. 107-355 amended section generally. Prior to amendment, section related to study of existing one-call systems, purpose and considerations of study, report by Secretary within one year of June 9, 1998, and discretion of Secretary as to whether to carry out study.

§ 6106. Grants to States

(a) IN GENERAL.—The Secretary may make a grant of financial assistance to a State that qualifies under section 6104(b) to assist in improving—

(1) the overall quality and effectiveness of one-call notification systems in the State;

(2) communications systems linking one-call notification systems;

(3) location capabilities, including training personnel and developing and using location technology;

(4) record retention and recording capabilities for one-call notification systems;

(5) public information and education;

(6) participation in one-call notification systems; or

(7) compliance and enforcement under the State one-call notification program.

(b) STATE ACTION TAKEN INTO ACCOUNT.—In making grants under this section, the Secretary shall take into consideration the commitment of each State to improving its State one-call notification program, including legislative and regulatory actions taken by the State after the date of enactment of this chapter.

(c) FUNDING FOR ONE-CALL NOTIFICATION SYSTEMS.—A State may provide funds received under this section directly to any one-call notification system in such State that substantially adopts the best practices identified under section 6105.

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

REFERENCES IN TEXT

The date of enactment of this chapter, referred to in subsec. (b), is the date of enactment of Pub. L. 105-178, which was approved June 9, 1998.

§ 6107. Authorization of appropriations

(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.

(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.)

AMENDMENTS

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.)

SUBTITLE IV—INTERSTATE TRANSPORTATION

PART A—RAIL

Chapter Sec.
101. GENERAL PROVISIONS 10101
105. JURISDICTION 10501
107. RATES 10701
109. LICENSING 10901
111. OPERATIONS 11101
113. FINANCE 11301
115. FEDERAL-STATE RELATIONS 11501
117. ENFORCEMENT: INVESTIGATIONS, RIGHTS, AND REMEDIES 11701
119. CIVIL AND CRIMINAL PENALTIES 11901

PART B—MOTOR CARRIERS, WATER CARRIERS, BROKERS, AND FREIGHT FORWARDERS

Chapter Sec.
131. GENERAL PROVISIONS 13101
133. ADMINISTRATIVE PROVISIONS ... 13301
135. JURISDICTION 13501

Chapter Sec.
137. RATES AND THROUGH ROUTES .. 13701
139. REGISTRATION 13901
141. OPERATIONS OF CARRIERS 14101
143. FINANCE 14301
145. FEDERAL-STATE RELATIONS 14501
147. ENFORCEMENT; INVESTIGATIONS; RIGHTS; REMEDIES 14701
149. CIVIL AND CRIMINAL PENALTIES 14901
PART C—PIPELINE CARRIERS

Chapter Sec.
151. GENERAL PROVISIONS 15101
153. JURISDICTION 15301
155. RATES 15501
157. OPERATIONS OF CARRIERS 15701
159. ENFORCEMENT: INVESTIGATIONS, RIGHTS, AND REMEDIES 15901
161. CIVIL AND CRIMINAL PENALTIES 16101

PRIOR PROVISIONS

A prior subtitle IV, consisting of chapters 101 to 119, related to interstate commerce, prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

AMENDMENTS

1997—Pub. L. 105-102, §2(5), Nov. 20, 1997, 111 Stat. 2204, struck out “AND TARIFFS” after “RATES” in item for chapter 155.

PART A—RAIL

CHAPTER 101—GENERAL PROVISIONS

Sec.
10101. Rail transportation policy.
10102. Definitions.

§ 10101. Rail transportation policy

In regulating the railroad industry, it is the policy of the United States Government—

(1) to allow, to the maximum extent possible, competition and the demand for services to establish reasonable rates for transportation by rail;

(2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required;

(3) to promote a safe and efficient rail transportation system by allowing rail carriers to earn adequate revenues, as determined by the Board;

(4) to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public and the national defense;

(5) to foster sound economic conditions in transportation and to ensure effective competition and coordination between rail carriers and other modes;

(6) to maintain reasonable rates where there is an absence of effective competition and where rail rates provide revenues which exceed the amount necessary to maintain the rail system and to attract capital;

(7) to reduce regulatory barriers to entry into and exit from the industry;

(8) to operate transportation facilities and equipment without detriment to the public health and safety;