

CHAPTER 3—HOURS OF SERVICE OF EMPLOYEES

Sec.

61 to 64b. Repealed.

65. Establishment of eight hour day.

66. Penalty for violation.

§§ 61 to 64b. Repealed. Pub. L. 103-272, § 7(b), July 5, 1994, 108 Stat. 1379

Section 61, acts Mar. 4, 1907, ch. 2939, § 1, 34 Stat. 1415; Dec. 26, 1969, Pub. L. 91-169, § 1, 83 Stat. 463; July 8, 1976, Pub. L. 94-348, § 4(c), 90 Stat. 818; Nov. 2, 1978, Pub. L. 95-574, §§ 5, 6, 92 Stat. 2461; June 22, 1988, Pub. L. 100-342, § 16(1), 102 Stat. 634, provided that this chapter applied to any railroad and defined "railroad", "employee", "time on duty", and "designated terminal" for purposes of this chapter. See sections 20102, 21101, and 21103 of Title 49, Transportation.

Section 62, acts Mar. 4, 1907, ch. 2939, § 2, 34 Stat. 1416; Oct. 15, 1966, Pub. L. 89-670, § 6(e)(2), 80 Stat. 939; Dec. 26, 1969, Pub. L. 91-169, § 1, 83 Stat. 463; July 8, 1976, Pub. L. 94-348, § 4(a), (b), 90 Stat. 818; June 22, 1988, Pub. L. 100-342, §§ 16(2), 19(b)(1), 102 Stat. 634, 638, related to limitations on employees' hours of service, determination of number of hours an employee is on duty, additional duty for crew of wreck or relief trains during emergencies, and inapplicability of this section when provisions of section 63 of this title applied, and defined "employees" for purpose of subsec. (a)(3) of this section. See sections 21103, 21105, and 21106 of Title 49.

Section 63, acts Mar. 4, 1907, ch. 2939, § 3, 34 Stat. 1416; May 4, 1916, ch. 109, § 1, 39 Stat. 61; Aug. 14, 1957, Pub. L. 85-135, § 2, 71 Stat. 352; Oct. 15, 1966, Pub. L. 89-670, § 6(e)(2), 80 Stat. 939; Dec. 26, 1969, Pub. L. 91-169, § 1, 83 Stat. 464; June 22, 1988, Pub. L. 100-342, § 16(3), 102 Stat. 635, related to dispatchers' hours of service. See section 21105 of Title 49.

Section 63a, acts Mar. 4, 1907, ch. 2939, § 3A, as added July 8, 1976, Pub. L. 94-348, § 4(d), 90 Stat. 819; amended Nov. 2, 1978, Pub. L. 95-574, § 4(a), (b), 92 Stat. 2459, 2460; June 22, 1988, Pub. L. 100-342, § 16(4), 102 Stat. 635, related to signal system employees' hours of service. See sections 21102, 21104 to 21107, and 21303 of Title 49.

Section 64, acts Mar. 4, 1907, ch. 2939, § 4, 34 Stat. 1417; Oct. 15, 1966, Pub. L. 89-670, § 6(e)(2), 80 Stat. 939; Dec. 26, 1969, Pub. L. 91-169, § 1, 83 Stat. 464; June 22, 1988, Pub. L. 100-342, § 16(5), 102 Stat. 635, provided that time on duty requirements of this chapter were maximum permissible hours of service, but shorter periods were proper subjects for collective bargaining. See section 21107 of Title 49.

Section 64a, acts Mar. 4, 1907, ch. 2939, § 5, 34 Stat. 1417; Dec. 26, 1969, Pub. L. 91-169, § 1, 83 Stat. 464; July 8, 1976, Pub. L. 94-348, § 4(e), 90 Stat. 819; Oct. 10, 1980, Pub. L. 96-423, § 12, 94 Stat. 1816; June 22, 1988, Pub. L. 100-342, § 16(6), 102 Stat. 635; Sept. 3, 1992, Pub. L. 102-365, §§ 4(a)(2), (c)(2), 9(a)(2), 106 Stat. 973, 974, 977, related to manner of enforcing this chapter concerning hours of service of employees. See sections 21102, 21303, and 21304 of Title 49.

Section 64b, act Mar. 4, 1907, ch. 2939, § 6, as added Dec. 26, 1969, Pub. L. 91-169, § 1, 83 Stat. 465, provided that Secretary of Transportation was to have duty to carry out provisions of this chapter.

SHORT TITLE

Act Mar. 4, 1907, ch. 2939, 34 Stat. 1415, which enacted this chapter and which was repealed by Pub. L. 103-272, § 7(b), July 5, 1994, 108 Stat. 1379, was popularly known as the "Hours of Service Act".

§ 65. Establishment of eight hour day

Eight hours shall, in contracts for labor and service, be deemed a day's work and the measure or standard of a day's work for the purpose of reckoning the compensation for services of all employees who are now or may hereafter be em-

ployed by any common carrier by railroad, except railroads independently owned and operated not exceeding one hundred miles in length, electric street railroads, and electric interurban railroads, which is subject to the provisions of subtitle IV of title 49, and who are now or may hereafter be actually engaged in any capacity in the operation of trains used for the transportation of persons or property on railroads, except railroads independently owned and operated not exceeding one hundred miles in length, electric street railroads, and electric interurban railroads, from any State or Territory of the United States or the District of Columbia to any other State or Territory of the United States or the District of Columbia, or from one place in a territory to another place in the same Territory, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States: *Provided*, That the above exceptions shall not apply to railroads though less than one hundred miles in length whose principal business is leasing or furnishing terminal or transfer facilities to other railroads, or are themselves engaged in transfers of freight between railroads, or between railroads and industrial plants.

(Sept. 3, 5, 1916, ch. 436, § 1, 39 Stat. 721.)

CODIFICATION

"Subtitle IV of title 49" substituted in text for "the Act of February fourth, eighteen hundred and eighty-seven, entitled 'An Act to regulate commerce,' as amended [49 U.S.C. 1 et seq.]" on authority of Pub. L. 95-473, § 3(b), Oct. 17, 1978, 92 Stat. 1466, the first section of which enacted subtitle IV of Title 49, Transportation.

Section was enacted as part of act Sept. 3, 5, 1916, popularly known as the Adamson Act, and not as part of act Mar. 4, 1907, popularly known as the Hours of Service Act, which formerly comprised this chapter.

SHORT TITLE

Act Sept. 3, 5, 1916, ch. 436, 39 Stat. 721, which enacted this section and section 66 of this title, is popularly known as the "Adamson Law".

DATE OF APPROVAL

Act Sept. 3, 5, 1916, was approved on Sept. 3 and again on Sept. 5, because Sept. 3 was Sunday, and some doubt existed as to the validity of an act approved on that day.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 66 of this title.

§ 66. Penalty for violation

Any person violating any provision of section 65 of this title shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$100 and not more than \$1,000, or imprisoned not to exceed one year, or both.

(Sept. 3, 5, 1916, ch. 436, § 4, 39 Stat. 722.)

CODIFICATION

Section was enacted as part of act Sept. 3, 5, 1916, popularly known as the Adamson Act, and not as part of act Mar. 4, 1907, popularly known as the Hours of Service Act, which formerly comprised this chapter.