

–CITE–

49 USC CHAPTER 153 – JURISDICTION 01/06/03

–EXPCITE–

TITLE 49 – TRANSPORTATION

SUBTITLE IV – INTERSTATE TRANSPORTATION

PART C – PIPELINE CARRIERS

CHAPTER 153 – JURISDICTION

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CHAPTER 153 – JURISDICTION

–MISC1–

Sec.

15301. General pipeline jurisdiction.

15302. Authority to exempt pipeline carrier transportation.

AMENDMENTS

1996 – Pub. L. 104–287, Sec. 5(42), Oct. 11, 1996, 110 Stat.

3392, struck out duplicative chapter heading.

–End–

–CITE–

49 USC Sec. 15301 01/06/03

–EXPCITE–

TITLE 49 – TRANSPORTATION

SUBTITLE IV – INTERSTATE TRANSPORTATION

PART C – PIPELINE CARRIERS

CHAPTER 153 – JURISDICTION

–HEAD–

Sec. 15301. General pipeline jurisdiction

–STATUTE–

(a) In General. – The Board has jurisdiction over transportation by pipeline, or by pipeline and railroad or water, when transporting a commodity other than water, gas, or oil.

Jurisdiction under this subsection applies only to transportation in the United States between a place in –

- (1) a State and a place in another State;
- (2) the District of Columbia and another place in the District of Columbia;
- (3) a State and a place in a territory or possession of the United States;
- (4) a territory or possession of the United States and a place in another such territory or possession;
- (5) a territory or possession of the United States and another place in the same territory or possession;
- (6) the United States and another place in the United States through a foreign country; or
- (7) the United States and a place in a foreign country.

(b) No Jurisdiction Over Intrastate Transportation. – The Board does not have jurisdiction under subsection (a) over the transportation of property, or the receipt, delivery, storage, or handling of property, entirely in a State (other than the District of Columbia) and not transported between a place in the United States and a place in a foreign country except as otherwise provided in this part.

(c) Protection of States Powers. – This part does not affect the power of a State, in exercising its police power, to require reasonable intrastate transportation by carriers providing transportation subject to the jurisdiction of the Board under this chapter unless the State requirement is inconsistent with an order of the Board issued under this part or is prohibited under this part.

–SOURCE–

(Added Pub. L. 104–88, title I, Sec. 106(a), Dec. 29, 1995, 109 Stat. 922.)

–MISC1–

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 10501 of this title prior to the general amendment of this subtitle by Pub. L. 104–88, Sec. 102(a).

#### EFFECTIVE DATE

Chapter effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104–88, see section 2 of Pub. L. 104–88, set out as a note under section 701 of this title.

–End–

–CITE–

49 USC Sec. 15302 01/06/03

–EXPCITE–

TITLE 49 – TRANSPORTATION

SUBTITLE IV – INTERSTATE TRANSPORTATION

PART C – PIPELINE CARRIERS

## CHAPTER 153 – JURISDICTION

–HEAD–

Sec. 15302. Authority to exempt pipeline carrier transportation

–STATUTE–

(a) In General – In a matter related to a pipeline carrier providing transportation subject to jurisdiction under this chapter, the Board shall exempt a person, class of persons, or a transaction or service when the Board finds that the application, in whole or in part, of a provision of this part –

(1) is not necessary to carry out the transportation policy of section 15101; and

(2) either (A) the transaction or service is of limited scope, or (B) the application, in whole or in part, of the provision is not needed to protect shippers from the abuse of market power.

(b) Initiation of Proceeding. – The Board may, where appropriate, begin a proceeding under this section on its own initiative or an interested party.

(c) Period of Exemption. – The Board may specify the period of time during which an exemption granted under this section is effective.

(d) Revocation. – The Board may revoke an exemption, to the extent it specifies, when it finds that application, in whole or in part, of a provision of this part to the person, class, or transportation is necessary to carry out the transportation policy of section 15101.

–SOURCE–

(Added Pub. L. 104-88, title I, Sec. 106(a), Dec. 29, 1995, 109

Stat. 923.)

-End-