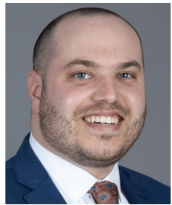




## Glossary of Transportation Law Terms



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Highly regulated operational sectors often have bountiful, and sometimes conflicting, defined terms that make all the difference in legal matters. The domestic and international transportation and logistics sector is no different. The term “commercial motor vehicle” is a classic example of this day-to-day impact in commercial environments as well as the risk of error by using conflicting terms. Commercial motor vehicle is defined at least seven times across Title 49. The definitions are triggered by different activities and equipment types—and their correct application makes all the difference between compliance and noncompliance.

This glossary is a curated list of key transportation law terms. It is intended to serve as a valuable tool in managing precise terminology across the dominant Titles of the United States Code (USC) governing the sector. Those Titles include 14 (Cost Guard, Air), 19 (Customs), 46 (Ocean), and 46 (Surface, Water). Close attention to the applicability of a Title, Chapter, Part, and Section are of course critical to determining whether a term in fact applies to the mode and operation under review. This glossary also includes corresponding definitions under the Code of Federal Regulations (CFR) where appropriate for understanding those USC definitions.

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TERM	DEFINITION	REFERENCE
<b>Actively Tethered Unmanned Aircraft System</b>	The term “actively tethered unmanned aircraft system” means an unmanned aircraft system in which the unmanned aircraft component (A) weighs 4.4 pounds or less, including payload but not including the tether; (B) is physically attached to a ground station with a taut, appropriately load-rated tether that provides continuous power to the unmanned aircraft and is unlikely to be separated from the unmanned aircraft; and (C) is controlled and retrieved by such ground station through physical manipulation of the tether.	49 USC § 44801
<b>Aeronautics</b>	“Aeronautics” means the science and art of flight.	49 USC § 40102
<b>Agency</b>	In this title [Title 46], the term “agency” means a department, agency, or instrumentality of the United States Government.	46 USC § 101
<b>Air Carrier</b>	Air carrier means a person who undertakes directly by lease, or other arrangement, to engage in air transportation.	14 CFR § 1.1
	“Air carrier” means a citizen of the United States undertaking by any means, directly or indirectly, to provide air transportation.	49 USC § 40102
<b>Air Commerce</b>	Air commerce means interstate, overseas, or foreign air commerce or the transportation of mail by aircraft or any operation or navigation of aircraft within the limits of any Federal airway or any operation or navigation of aircraft which directly affects, or which may endanger safety in, interstate, overseas, or foreign air commerce.	14 CFR § 1.1
	“Air commerce” means foreign air commerce, interstate air commerce, the transportation of mail by aircraft, the operation of aircraft within the limits of a federal airway, or the operation of aircraft that directly affects, or may endanger safety in, foreign or interstate air commerce.	49 USC § 40102
<b>Air Traffic Control System</b>	The term “air traffic control system” has the same meaning as the term defined by section 40102(a) (42) of title 49, United States Code.	49 USC § 106
	“Air traffic control system” means the combination of elements used to safely and efficiently monitor, direct, control, and guide aircraft in the United States and United States-assigned airspace, including—(A) allocated electromagnetic spectrum and physical, real, personal, and intellectual property assets making up facilities, equipment, and systems employed to detect, track, and guide aircraft movement; (B) laws, regulations, orders, directives, agreements, and licenses; (C) published procedures that explain required actions, activities, and techniques used to ensure adequate aircraft separation; and (D) trained personnel with specific technical capabilities to satisfy the operational, engineering, management, and planning requirements for air traffic control.	49 USC § 40102
<b>Air Transportation</b>	Air transportation means interstate, overseas, or foreign air transportation or the transportation of mail by aircraft.	14 CFR § 1.1
	“Air transportation” means foreign air transportation, interstate air transportation, or the transportation of mail by aircraft.	49 USC § 40102
<b>Aircraft</b>	Aircraft means a device that is used or intended to be used for flight in the air.	14 CFR § 1.1
	“Aircraft” means any contrivance invented, used, or designed to navigate, or fly in, the air.	49 USC § 40102
<b>Airman</b>	“Airman” means an individual—(A) in command, or as pilot, mechanic, or member of the crew, who navigates aircraft when under way; (B) except to the extent the Administrator of the Federal Aviation Administration may provide otherwise for individuals employed outside the United States, who is directly in charge of inspecting, maintaining, overhauling, or repairing aircraft, aircraft engines, propellers, or appliances; or (C) who serves as an aircraft dispatcher or air traffic control-tower operator.	49 USC § 40102

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TERM	DEFINITION	REFERENCE
<b>Airplane</b>	Airplane means an engine-driven fixed-wing aircraft heavier than air, which is supported in flight by the dynamic reaction of the air against its wings.	14 CFR § 1.1
<b>Airport</b>	Airport means an area of land or water that is used or intended to be used for the landing and takeoff of aircraft, and includes its buildings and facilities, if any.	14 CFR § 1.1
	“Airport” means a landing area used regularly by aircraft for receiving or discharging passengers or cargo.	49 USC § 40102
<b>All-Cargo Air Transportation</b>	“All-cargo air transportation” means the transportation by aircraft in interstate air transportation of only property or only mail, or both.	49 USC § 40102
<b>Authorized Carrier</b>	Authorized carrier means a person or persons authorized to engage in the transportation of property as a motor carrier under the provisions of 49 U.S.C. 13901 and 13902.	49 CFR § 376.2
<b>Automated Commercial Environment</b>	The term “Automated Commercial Environment” means the Automated Commercial Environment computer system authorized under section 58c(f)(4) of this title [Title 19].	19 USC § 4301
<b>Barge</b>	The term “barge” means a non-self-propelled vessel.	46 USC § 102
<b>Beneficial Owner</b>	“Beneficial owner” means a person not having title to property but having ownership rights in the property, including a trustee of property in transit from an overseas place of origin that is domiciled or doing business in the United States, except that a carrier, agent of a carrier, broker, customs broker, freight forwarder, warehouse, or terminal operator is not a beneficial owner only because of providing or arranging for any part of the intermodal transportation of property.	49 USC § 5901
<b>Bona Fide Agents</b>	Bona fide agents are persons who are part of the normal organization of a motor carrier and perform duties under the carrier’s directions pursuant to a preexisting agreement which provides for a continuing relationship, precluding the exercise of discretion on the part of the agent in allocating traffic between the carrier and others.	49 CFR § 371.2
<b>Broker</b>	Broker means a person who, for compensation, arranges, or offers to arrange, the transportation of property by an authorized motor carrier. Motor carriers, or persons who are employees or bona fide agents of carriers, are not brokers within the meaning of this section when they arrange or offer to arrange the transportation of shipments which they are authorized to transport and which they have accepted and legally bound themselves to transport.	49 CFR § 371.2
	The term “broker” means a person, other than a motor carrier or an employee or agent of a motor carrier, that as a principal or agent sells, offers for sale, negotiates for, or holds itself out by solicitation, advertisement, or otherwise as selling, providing, or arranging for, transportation by motor carrier for compensation.	49 USC § 13102
<b>Brokerage or Brokerage Service</b>	Brokerage or brokerage service is the arranging of transportation or the physical movement of a motor vehicle or of property. It can be performed on behalf of a motor carrier, consignor, or consignee.	49 CFR § 371.2
<b>Bus Rapid Transit System</b>	The term “bus rapid transit system” means a bus transit system—(A) in which the majority of each line operates in a separated right-of-way dedicated for public transportation use during peak periods; and (B) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—(i) defined stations; (ii) traffic signal priority for public transportation vehicles; (iii) short headway bidirectional services for a substantial part of weekdays and weekend days; and (iv) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.	49 USC § 5302

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TERM	DEFINITION	REFERENCE
<b>CAFTA-DR country</b>	Except as provided in section 4033 of this title [Title 19], the term “CAFTA-DR country” means—(A) Costa Rica, for such time as the Agreement is in force between the United States and Costa Rica; (B) the Dominican Republic, for such time as the Agreement is in force between the United States and the Dominican Republic; (C) El Salvador, for such time as the Agreement is in force between the United States and El Salvador; (D) Guatemala, for such time as the Agreement is in force between the United States and Guatemala; (E) Honduras, for such time as the Agreement is in force between the United States and Honduras; and (F) Nicaragua, for such time as the Agreement is in force between the United States and Nicaragua.	19 USC § 4002
<b>Cargo</b>	“Cargo” means property, mail, or both.	49 USC § 40102
<b>Carrier</b>	Carrier means railroad, as that term is in this section [Title 49].	49 CFR § 229.5
	The term “carrier” means a motor carrier, a water carrier, and a freight forwarder.	49 USC § 13102
	“Carrier” means—(A) a motor carrier, water carrier, and rail carrier providing transportation of property in commerce; and (B) an ocean common carrier (as defined in section 40102 of title 46 [46 USCS § 40102]) providing transportation of property in commerce.	49 USC § 5901
<b>Certificate of Waiver; Certificate of Authorization</b>	The terms “certificate of waiver” and “certificate of authorization” mean a Federal Aviation Administration grant of approval for a specific flight operation.	49 USC 44801
<b>Certificated Carrier</b>	Certificated carrier means a direct air carrier holding authority to provide air transportation granted by the Department in the form of a certificate of public convenience and necessity under 49 U.S.C. 41102 (Transportation) or an all-cargo air transportation certificate to perform all-cargo air transportation under 49 U.S.C. 41103.	14 CFR § 323.2
<b>Charter Air Carrier</b>	“Charter air carrier” means an air carrier holding a certificate of public convenience and necessity that authorizes it to provide charter air transportation.	49 USC § 40102
<b>Charter Air Transportation Carrier</b>	“Charter air transportation” means charter trips in air transportation authorized under this part.	49 USC § 40102
<b>Citizen of the United States</b>	In this title [Title 46], the term “citizen of the United States”, when used in reference to a natural person, means an individual who is a national of the United States as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).	46 USC § 104
	“Citizen of the United States” means—(A) an individual who is a citizen of the United States; (B) a partnership each of whose partners is an individual who is a citizen of the United States; or (C) a corporation or association organized under the laws of the United States or a State, the District of Columbia, or a territory or possession of the United States, of which the president and at least two-thirds of the board of directors and other managing officers are citizens of the United States, which is under the actual control of citizens of the United States, and in which at least 75 percent of the voting interest is owned or controlled by persons that are citizens of the United States.	49 USC § 40102
<b>Civil Aircraft</b>	“Civil aircraft” means an aircraft except a public aircraft.	49 USC § 40102
<b>Civil Aircraft of the United States</b>	“Civil aircraft of the United States” means an aircraft registered under chapter 441 of this title [Title 49].	49 USC § 40102

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TERM	DEFINITION	REFERENCE
Commerce	“Commerce” means trade, traffic, and transportation—(A) in the jurisdiction of the United States between a place in a State and a place outside that State (including a place outside the United States); or (B) in the United States that affects trade, traffic, and transportation described in subclause (A) of this clause.	49 USC § 31301
	“Commerce” means trade or transportation in the jurisdiction of the United States—(A) between a place in a State and a place outside of the State; (B) that affects trade or transportation between a place in a State and a place outside of the State; or (C) on a United States-registered aircraft.	49 USC § 5102
Commercial Motor Vehicle	Commercial motor vehicle (CMV) means a motor vehicle that has any of the following characteristics: (1) A gross vehicle weight (GVW), gross vehicle weight rating (GVWR), gross combination weight (GCW), or gross combination weight rating (GCWR) of 4,537 kilograms (10,001 pounds) or more; (2) Regardless of weight, is designed or used to transport 16 or more passengers, including the driver; (3) Regardless of weight, is used in the transportation of hazardous materials and is required to be placarded pursuant to 49 CFR part 172, subpart F.	49 CFR § 350.105
	Commercial motor vehicle means any motor vehicle that meets the definition of “commercial motor vehicle” found at 49 CFR 382.107 concerning controlled substances and alcohol use and testing, 49 CFR 383.5 concerning commercial driver's license standards, or 49 CFR 390.5 concerning parts 390 through 399 of the FMCSRs.	49 CFR § 381.110
	Commercial motor vehicle (CMV) means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle is a—(1) Combination Vehicle (Group A)—having a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or (2) Heavy Straight Vehicle (Group B)—having a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 pounds or more), whichever is greater; or (3) Small Vehicle (Group C) that does not meet Group A or B requirements but that either—(i) Is designed to transport 16 or more passengers, including the driver; or (ii) Is of any size and is used in the transportation of hazardous materials as defined in this section.	49 CFR § 383.5
	Commercial motor vehicle means any self propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle—(1) Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or (2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or (3) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or (4) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C.	49 CFR § 390.5T
	“Commercial motor vehicle” means (except in section 31106 [49 USCS § 31106]) a self-propelled or towed vehicle used on the highways in commerce principally to transport passengers or cargo, if the vehicle—(A) has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater; (B) is designed to transport more than 10 passengers including the driver; or (C) is used in transporting material found by the Secretary of Transportation to be hazardous under section 5103 of this title [49 USCS § 5103] and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section 5103 [49 USCS § 5103].	49 USC § 31101

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TERM	DEFINITION	REFERENCE
<b>Commercial Motor Vehicle</b> <i>(continued)</i>	<p>“Commercial motor vehicle” means a self-propelled or towed vehicle used on the highways in interstate commerce to transport passengers or property, if the vehicle—(A) has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater; (B) is designed or used to transport more than 8 passengers (including the driver) for compensation; (C) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or (D) is used in transporting material found by the Secretary of Transportation to be hazardous under section 5103 of this title [49 USCS § 5103] and transported in a quantity requiring placarding under regulations prescribed by the Secretary under section 5103 [49 USCS § 5103].</p>	49 USC § 31132
	<p>“Commercial motor vehicle” means a motor vehicle used in commerce to transport passengers or property that—(A) has a gross vehicle weight rating or gross vehicle weight of at least 26,001 pounds, whichever is greater, or a lesser gross vehicle weight rating or gross vehicle weight the Secretary of Transportation prescribes by regulation, but not less than a gross vehicle weight rating of 10,001 pounds; (B) is designed to transport at least 16 passengers including the driver; or (C) is used to transport material found by the Secretary to be hazardous under section 5103 of this title [49 USCS § 5103], except that a vehicle shall not be included as a commercial motor vehicle under this subclause if—(i) the vehicle does not satisfy the weight requirements of subclause (A) of this clause; (ii) the vehicle is transporting material listed as hazardous under section 306(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9656(a)) and is not otherwise regulated by the Secretary or is transporting a consumer commodity or limited quantity of hazardous material as defined in section 171.8 of title 49, Code of Federal Regulations; and (iii) the Secretary does not deny the application of this exception to the vehicle (individually or as part of a class of motor vehicles) in the interest of safety.</p>	49 USC § 31301
<b>Commercial Operations of U.S. Customs and Border Protection</b>	<p>The term “commercial operations of U.S. Customs and Border Protection” includes—(A) administering any customs revenue function (as defined in section 215 of Title 6); (B) coordinating efforts of the Department of Homeland Security with respect to trade facilitation and trade enforcement; (C) coordinating with the Director of U.S. Immigration and Customs Enforcement with respect to—(i) investigations relating to trade enforcement; and (ii) the development and implementation of the joint strategic plan required by section 4314 of this title [Title 19]; (D) coordinating, on behalf of the Department of Homeland Security, efforts among Federal agencies to facilitate legitimate trade and to enforce the customs and trade laws of the United States, including representing the Department of Homeland Security in interagency fora addressing such efforts; (E) coordinating with customs authorities of foreign countries to facilitate legitimate international trade and enforce the customs and trade laws of the United States and the customs and trade laws of foreign countries; (F) collecting, assessing, and disseminating information as appropriate and in accordance with any law regarding cargo destined for the United States—(i) to ensure that such cargo complies with the customs and trade laws of the United States; and (ii) to facilitate the legitimate international trade of such cargo; (G) soliciting and considering on a regular basis input from private sector entities, including the Commercial Customs Operations Advisory Committee established by section 4316 of this title [Title 19] and the Trade Support Network, with respect to, as appropriate—(i) the implementation of changes to the customs and trade laws of the United States; and (ii) the development, implementation, or revision of policies or regulations administered by U.S. Customs and Border Protection; and (H) otherwise advising the Secretary of Homeland Security with respect to the development of policies associated with facilitating legitimate trade and enforcing the customs and trade laws of the United States.</p>	19 USC § 4301

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TERM	DEFINITION	REFERENCE
<b>Commercial Operator</b>	Commercial operator means a person who, for compensation or hire, engages in the carriage by aircraft in air commerce of persons or property, other than as an air carrier or foreign air carrier or under the authority of Part 375 of this title [Title 14]. Where it is doubtful that an operation is for “compensation or hire”, the test applied is whether the carriage by air is merely incidental to the person’s other business or is, in itself, a major enterprise for profit.	14 CFR § 1.1
<b>Commissioner</b>	(3) The term “Commissioner” means the Commissioner of U.S. Customs and Border Protection, as described in section 211(b) of Title 6.	19 USC. § 4301
<b>Common Carrier</b>	Common carrier means a person holding itself out to the general public to provide transportation by water of passengers or cargo between the United States and a foreign country for compensation that: (1) Assumes responsibility for the transportation from the port or point of receipt to the port or point of destination; and (2) Utilizes, for all or part of that transportation, a vessel operating on the high seas or the Great Lakes between a port in the United States and a port in a foreign country, except that the term does not include a common carrier engaged in ocean transportation by ferry boat, ocean tramp, or chemical parcel tanker, or by a vessel when primarily engaged in the carriage of perishable agricultural commodities: (i) If the common carrier and the owner of those commodities are wholly owned, directly or indirectly, by a person primarily engaged in the marketing and distribution of those commodities and (ii) Only with respect to those commodities.	46 CFR §§ 530.3; 535.104
	The term “common carrier”—(A) means a person that—(i) holds itself out to the general public to provide transportation by water of passengers or cargo between the United States and a foreign country for compensation; (ii) assumes responsibility for the transportation from the port or point of receipt to the port or point of destination; and (iii) uses, for all or part of that transportation, a vessel operating on the high seas or the Great Lakes between a port in the United States and a port in a foreign country; but (B) does not include a carrier engaged in ocean transportation by ferry boat, ocean tramp, or chemical parcel-tanker, or by vessel when primarily engaged in the carriage of perishable agricultural commodities—(i) if the carrier and the owner of those commodities are wholly-owned, directly or indirectly, by a person primarily engaged in the marketing and distribution of those commodities; and (ii) only with respect to the carriage of those commodities.	46 USC § 40102
<b>Conditional Sales Contract</b>	“Conditional sales contract” means a contract—(A) for the sale of an aircraft, aircraft engine, propeller, appliance, or spare part, under which the buyer takes possession of the property but title to the property vests in the buyer at a later time on—(i) paying any part of the purchase price; (ii) performing another condition; or (iii) the happening of a contingency; or (B) to bail or lease an aircraft, aircraft engine, propeller, appliance, or spare part, under which the bailee or lessee—(i) agrees to pay an amount substantially equal to the value of the property; and (ii) is to become, or has the option of becoming, the owner of the property on complying with the contract.	49 USC § 40102
<b>Consideration</b>	“Consideration” means an economic benefit, inducement, right, or profit including pecuniary payment accruing to an individual, person, or entity, but not including a voluntary sharing of the actual expenses of the voyage, by monetary contribution or donation of fuel, food, beverage, or other supplies.	46 USC § 2101
<b>Consignee</b>	The term “consignee” means a consignee as defined in section 1483 of this title [Title 19].	19 USC § 2601
	“Consignee” means the person named in a bill of lading as the person to whom the goods are to be delivered.	49 USC § 80101
<b>Consignor</b>	“Consignor” means the person named in a bill of lading as the person from whom the goods have been received for shipment.	49 USC § 80101

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TERM	DEFINITION	REFERENCE
<b>Container</b>	The term “container” has the meaning given that term in the Convention. The term “Convention” means the International Convention for Safe Containers, and its annexes, done at Geneva, Switzerland, December 2, 1972.	46 USC § 80501
	“Container” has the meaning given the term “freight container” by the International Standards Organization in Series 1, Freight Containers, 3d Edition (reference number ISO668-1979(E)), including successive revisions, and similar containers that are used in providing transportation in interstate commerce.	49 USC § 5901
<b>Contract Carriage</b>	The term “contract carriage” means—(A) for transportation provided before January 1, 1996, service provided pursuant to a permit issued under section 10923, as in effect on December 31, 1995; and (B) for transportation provided after December 31, 1995, service provided under an agreement entered into under section 14101(b) [49 USCS § 14101(b)].	49 USC § 13102
<b>Control</b>	“Control”, when referring to a relationship between persons, includes actual control, legal control, and the power to exercise control, through or by (A) common directors, officers, stockholders, a voting trust, or a holding or investment company, or (B) any other means.	49 USC §§ 10102, 13102
	“Control” means control by any means.	49 USC § 40102
<b>Controlled Carrier</b>	Controlled carrier means an ocean common carrier that is, or whose operating assets are, directly or indirectly owned or controlled by a government. Ownership or control by a government shall be deemed to exist with respect to any ocean common carrier if: (1) A majority portion of the interest in the carrier is owned or controlled in any manner by that government, by any agency thereof, or by any public or private person controlled by that government; or (2) That government has the right to appoint or disapprove the appointment of a majority of the directors, the chief operating officer or the chief executive officer of the carrier.	46 CFR § 530.3
<b>Conveyance</b>	“Conveyance” means an instrument, including a conditional sales contract, affecting title to, or an interest in, property.	49 USC § 40102
<b>Counter-UAS system</b>	The term “counter-UAS system” means a system or device capable of lawfully and safely disabling, disrupting, or seizing control of an unmanned aircraft or unmanned aircraft system.	49 USC § 44801
<b>Country of Origin</b>	The term “country of origin”, as applied to any pre-Columbian monumental or architectural sculpture or mural, means the country where such sculpture or mural was first discovered.	19 USC § 2095



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TERM	DEFINITION	REFERENCE
<b>Customs and Trade Laws of the United States</b>	The term “customs and trade laws of the United States” includes the following: (A) The Tariff Act of 1930 (19 U.S.C. 1202 et seq.); (B) Section 3 of this title [Title 19]; (C) Section 6 of this title [Title 19]; (D) The Act of March 3, 1927 (44 Stat. 1381, chapter 348; 19 U.S.C. 2071 et seq.); (E) Section 58c of this title [Title 19]; (F) Section 66 of this title [Title 19]; (G) Section 68 of this title [Title 19]; (H) The Act of June 18, 1934 (48 Stat. 998, chapter 590; 19 U.S.C. 81a et seq.; commonly known as the “Foreign Trade Zones Act”); (I) Section 198 of this title [Title 19]; (J) The Trade Act of 1974 (19 U.S.C. 2101 et seq.); (K) The Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.); (L) The North American Free Trade Agreement Implementation Act (19 U.S.C. 3301 et seq.); (M) The Uruguay Round Agreements Act (19 U.S.C. 3501 et seq.); (N) The Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.); (O) The Andean Trade Preference Act (19 U.S.C. 3201 et seq.); (P) The African Growth and Opportunity Act (19 U.S.C. 3701 et seq.); (Q) The Customs Enforcement Act of 1986 (Public Law 99-570; 100 Stat. 3207-79); (R) The Customs and Trade Act of 1990 (Public Law 101-382; 104 Stat. 629); (S) The Customs Procedural Reform and Simplification Act of 1978 (Public Law 95-410; 92 Stat. 888); (T) The Trade Act of 2002 (Public Law 107-210; 116 Stat. 933); (U) The Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.); (V) The Act of March 28, 1928 (45 Stat. 374, chapter 266; 19 U.S.C. 2077 et seq.); (W) The Act of August 7, 1939 (53 Stat. 1262, chapter 566); (X) The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (Public Law 114-26; 19 U.S.C. 4201 et seq.); (Y) The Trade Preferences Extension Act of 2015 (Public Law 114-27; 129 Stat. 362); (Z) Any other provision of law implementing a trade agreement; (AA) Any other provision of law vesting customs revenue functions in the Secretary of the Treasury; (BB) Any other provision of law relating to trade facilitation or trade enforcement that is administered by U.S. Customs and Border Protection on behalf of any Federal agency that is required to participate in the International Trade Data System established under section 411(d) of the Tariff Act of 1930 (19 U.S.C. 1411(d)); (CC) Any other provision of customs or trade law administered by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.	19 USC § 4301
<b>Customs Waters</b>	The term “customs waters” means, in the case of a foreign vessel subject to a treaty or other arrangement between a foreign government and the United States enabling or permitting the authorities of the United States to board, examine, search, seize, or otherwise to enforce upon such vessel upon the high seas the laws of the United States, the waters within such distance of the coast of the United States as the said authorities are or may be so enabled or permitted by such treaty or arrangement and, in the case of every other vessel, the waters within four leagues of the coast of the United States.	19 USC § 1709
<b>Detention</b>	Detention means the holding by a consignor or consignee of a trailer, with or without power unit and driver, beyond the free time allocated for the shipment, under circumstances not attributable to the performance of the carrier.	49 CFR § 376.2
<b>Documented Vessel</b>	The term “documented vessel” means a vessel for which a certificate of documentation has been issued under chapter 121 of this title [Title 46].	46 USC § 106
<b>Driver</b>	Driver means any person who operates any commercial motor vehicle.	49 CFR § 390.5T
	Driver means the occupant of a motor vehicle seated immediately behind the steering control system.	49 CFR § 571.3

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TERM	DEFINITION	REFERENCE
<b>Employee</b>	Employee means any individual, other than an employer, who is employed by an employer and who in the course of his or her employment directly affects commercial motor vehicle safety. Such term includes a driver of a commercial motor vehicle (including an independent contractor while in the course of operating a commercial motor vehicle), a mechanic, and a freight handler. Such term does not include an employee of the United States, any State, any political subdivision of a State, or any agency established under a compact between States and approved by the Congress of the United States who is acting within the course of such employment.	49 CFR § 390.5T
	“Employee” means a driver of a commercial motor vehicle (including an independent contractor when personally operating a commercial motor vehicle), a mechanic, a freight handler, or an individual not an employer, who—(A) directly affects commercial motor vehicle safety in the course of employment by a commercial motor carrier; and (B) is not an employee of the United States Government, a State, or a political subdivision of a State acting in the course of employment.	49 USC § 31101
	“Employee” means an operator of a commercial motor vehicle (including an independent contractor when operating a commercial motor vehicle), a mechanic, a freight handler, or an individual not an employer, who—(A) directly affects commercial motor vehicle safety in the course of employment; and (B) is not an employee of the United States Government, a State, or a political subdivision of a State acting in the course of the employment by the Government, a State, or a political subdivision of a State.	49 USC § 31132
	“Employee” means an operator of a commercial motor vehicle (including an independent contractor when operating a commercial motor vehicle) who is employed by an employer.	49 USC § 31301
<b>Employer</b>	Employer means any person engaged in a business affecting interstate commerce who owns or leases a commercial motor vehicle in connection with that business, or assigns employees to operate it, but such terms does not include the United States, any State, any political subdivision of a State, or an agency established under a compact between States approved by the Congress of the United States.	49 CFR § 390.5T
	“Employer”—(A) means a person engaged in a business affecting commerce that owns or leases a commercial motor vehicle in connection with that business, or assigns an employee to operate the vehicle in commerce; but (B) does not include the Government, a State, or a political subdivision of a State.	49 USC §§ 31101; 31132
	“Employer” means a person (including the United States Government, a State, or a political subdivision of a State) that owns or leases a commercial motor vehicle or assigns employees to operate a commercial motor vehicle.	49 USC § 31301
<b>Entered</b>	The term “entered” means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.	19 USC § 3002
<b>Environmental Laws</b>	The term “environmental laws”, with respect to the laws of the United States, means environmental statutes and regulations enforceable by action of the Federal Government.	19 USC § 4210
<b>Equipment</b>	Equipment means a motor vehicle, straight truck, tractor, semitrailer, full trailer, any combination of these and any other type of equipment used by authorized carriers in the transportation of property for hire.	49 CFR § 376.2
<b>Federal Agency</b>	The term “Federal agency” means any establishment in the executive branch of the United States Government.	19 USC § 3002
<b>Federal Airway</b>	“Federal airway” means a part of the navigable airspace that the Administrator designates as a Federal airway.	49 USC § 40102

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Federal Motor Carrier Safety Regulation(s)</b>	Federal Motor Carrier Safety Regulation means: (1) The Federal Motor Carrier Safety Regulations under parts 390, 391, 392, 393, 395, 396, and 397 of this subchapter; and (2) Applicable standards and orders issued under these provisions.	49 CFR § 350.105
	FMCSRs means Federal Motor Carrier Safety Regulations (49 CFR parts 380, 382, 383, and 384; 49 CFR 390.19 and 390.21; and 49 CFR parts 391 through 393, 395, 396, and 399).	49 CFR § 381.110
<b>First Carrier</b>	“First carrier” means the first carrier transporting a loaded container or trailer in intermodal transportation.	49 USC § 5901
<b>Foreign Air Carrier</b>	Foreign air carrier means any person other than a citizen of the United States, who undertakes directly, by lease or other arrangement, to engage in air transportation.	14 CFR § 1.1; 49 USC § 40102
<b>Foreign Air Commerce</b>	Foreign air commerce means the carriage by aircraft of persons or property for compensation or hire, or the carriage of mail by aircraft, or the operation or navigation of aircraft in the conduct or furtherance of a business or vocation, in commerce between a place in the United States and any place outside thereof; whether such commerce moves wholly by aircraft or partly by aircraft and partly by other forms of transportation.	14 CFR § 1.1
	“Foreign air commerce” means the transportation of passengers or property by aircraft for compensation, the transportation of mail by aircraft, or the operation of aircraft in furthering a business or vocation, between a place in the United States and a place outside the United States when any part of the transportation or operation is by aircraft.	49 USC § 40102
<b>Foreign Air Transportation</b>	“Foreign air transportation” means the carriage by aircraft of persons or property as a common carrier for compensation or hire, or the carriage of mail by aircraft, in commerce between a place in the United States and any place outside of the United States, whether that commerce moves wholly by aircraft or partly by aircraft and partly by other forms of transportation.	14 CFR § 1.1
	“Foreign air transportation” means the transportation of passengers or property by aircraft as a common carrier for compensation, or the transportation of mail by aircraft, between a place in the United States and a place outside the United States when any part of the transportation is by aircraft.	49 USC § 40102
<b>Foreign Carrier</b>	The term “foreign carrier” means an ocean common carrier a majority of whose vessels are documented under the laws of a foreign country.	46 USC § 42301
<b>Foreign Commerce</b>	In this title [Title 46], the terms “foreign commerce” and “foreign trade” mean commerce or trade between a place in the United States and a place in a foreign country.	46 USC § 109
<b>Foreign Country</b>	The term “foreign country” includes any foreign instrumentality. Any territory or possession of a foreign country that is administered separately for customs purposes, shall be treated as a separate foreign country.	19 USC § 2906
<b>Foreign Motor Carrier</b>	The term “foreign motor carrier” means a person (including a motor carrier of property but excluding a motor private carrier)—(A) (i) that is domiciled in a contiguous foreign country; or (ii) that is owned or controlled by persons of a contiguous foreign country; and (B) in the case of a person that is not a motor carrier of property, that provides interstate transportation of property by motor vehicle under an agreement or contract entered into with a motor carrier of property (other than a motor private carrier or a motor carrier of property described in subparagraph (A)).	49 USC § 13102
<b>Foreign Trade</b>	The terms “foreign commerce” and “foreign trade” mean commerce or trade between a place in the United States and a place in a foreign country.	46 USC § 109
<b>Foreign Vessel</b>	In this title [Title 46], the term “foreign vessel” means a vessel of foreign registry or operated under the authority of a foreign country.	46 USC § 110

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>For-hire Carriage</b>	For-hire carriage means the business of transporting, for compensation, the goods or property of another.	49 CFR § 387.5
<b>For-hire Motor Carrier</b>	For-hire motor carrier means a person engaged in the transportation of goods or passengers for compensation.	49 CFR § 390.5T
<b>Freight Barge</b>	Freight barge means a non-self-propelled vessel carrying freight for hire.	46 CFR § 2.10-25
<b>Freight Forwarder</b>	The term “freight forwarder” means a person holding itself out to the general public (other than as a pipeline, rail, motor, or water carrier) to provide transportation of property for compensation and in the ordinary course of its business—(A) assembles and consolidates, or provides for assembling and consolidating, shipments and performs or provides for break-bulk and distribution operations of the shipments; (B) assumes responsibility for the transportation from the place of receipt to the place of destination; and (C) uses for any part of the transportation a carrier subject to jurisdiction under this subtitle [49 USCS §§ 10101 et seq.]. The term does not include a person using transportation of an air carrier subject to part A of subtitle VII [49 USCS §§ 40101 et seq.].	49 USC § 13102
<b>Freight Ship</b>	Freight ship means a self-propelled freight vessel.	46 CFR § 2.10-25
<b>Freight Vessel</b>	Freight vessel means a motor vessel of more than 15 gross tons that carries freight for hire, except an oceanographic research vessel or an offshore supply vessel.  “Freight vessel” means a motor vessel of more than 15 gross tons as measured under section 14502 of this title [Title 46], or an alternate tonnage measured under section 14302 of this title [Title 46] as prescribed by the Secretary under section 14104 of this title [Title 46] that carries freight for hire, except an oceanographic research vessel or an offshore supply vessel.	46 CFR § 2.10-25  46 USC § 2101
<b>Gas</b>	“Gas” means natural gas, flammable gas, or toxic or corrosive gas.	49 USC § 60101
<b>Goods</b>	“Goods” means merchandise or personal property that has been, is being, or will be transported.	49 USC § 80101
<b>Grantee</b>	The term “grantee” means a corporation to which the privilege of establishing, operating, and maintaining a foreign-trade zone has been granted.	19 USC § 81a
<b>Gross Cargo Weight</b>	“Gross cargo weight” means the weight of the cargo, packaging materials (including ice), pallets, and dunnage.	49 USC § 5901
<b>Hazardous Liquid</b>	“Hazardous liquid” means—(A) petroleum or a petroleum product; (B) nonpetroleum fuel, including biofuel, that is flammable, toxic, or corrosive or would be harmful to the environment if released in significant quantities; and (C) a substance the Secretary of Transportation decides may pose an unreasonable risk to life or property when transported by a hazardous liquid pipeline facility in a liquid state (except for liquefied natural gas).	49 USC § 60101
<b>Hazardous Liquid Pipeline Facility</b>	“Hazardous liquid pipeline facility” includes a pipeline, a right of way, a facility, a building, or equipment used or intended to be used in transporting hazardous liquid.	49 USC § 60101
<b>Hazardous Material</b>	“Hazardous material” means a liquid material or substance that is—(A) flammable or combustible; (B) designated a hazardous substance under section 311(b) of the Federal Water Pollution Control Act (33 U.S.C. 1321); or (C) designated a hazardous material under section 5103(a) of title 49 [49 USCS § 5103(a)].	46 USC § 2101 46 USC §§ 31301, 5102

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Hazmat Employee</b>	“Hazmat employee” (A) means an individual—(i) who—(I) is employed on a full time, part time, or temporary basis by a hazmat employer; or (II) is self-employed (including an owner-operator of a motor vehicle, vessel, or aircraft) transporting hazardous material in commerce; and (ii) who during the course of such full time, part time, or temporary employment, or such self employment, directly affects hazardous material transportation safety as the Secretary decides by regulation; and (B) includes an individual, employed on a full time, part time, or temporary basis by a hazmat employer, or self employed, who during the course of employment—(i) loads, unloads, or handles hazardous material; (ii) designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs, or tests a package, container, or packaging component that is represented, marked, certified, or sold as qualified for use in transporting hazardous material in commerce; (iii) prepares hazardous material for transportation; (iv) is responsible for the safety of transporting hazardous material; or (v) operates a vehicle used to transport hazardous material.	49 USC § 5102
<b>Hazmat Employer</b>	“Hazmat employer” means a person—(i) who—(I) employs or uses at least 1 hazmat employee on a full time, part time, or temporary basis; or (II) is self-employed (including an owner-operator of a motor vehicle, vessel, or aircraft) transporting hazardous material in commerce; and (ii) who—(I) transports hazardous material in commerce; (II) causes hazardous material to be transported in commerce; or (III) designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs, or tests a package, container, or packaging component that is represented, marked, certified, or sold as qualified for use in transporting hazardous material in commerce; and (B) includes a department, agency, or instrumentality of the United States Government, or an authority of a State, political subdivision of a State, or Indian tribe, carrying out an activity described in clause (ii).	49 USC § 5102
<b>Highway</b>	Highway means any road, street, or way, whether on public or private property, open to public travel. “Open to public travel” means that the road section is available, except during scheduled periods, extreme weather or emergency conditions, passable by four-wheel standard passenger cars, and open to the general public for use without restrictive gates, prohibitive signs, or regulation other than restrictions based on size, weight, or class of registration. Toll plazas of public toll roads are not considered restrictive gates.	49 CFR § 390.5T
	The term “highway” means a road, highway, street, and way in a State.	49 USC § 13102
<b>Holder</b>	“Holder” means a person having possession of, and a property right in, a bill of lading.	49 USC § 80101
<b>Household Goods</b>	The term “household goods”, as used in connection with transportation, means personal effects and property used or to be used in a dwelling, when a part of the equipment or supply of such dwelling, and similar property if the transportation of such effects or property is: (A) arranged and paid for by the householder, except such term does not include property moving from a factory or store, other than property that the householder has purchased with the intent to use in his or her dwelling and its transported at the request of, and the transportation charges are paid to the carrier by, the householder; or (B) arranged and paid for by another party.	49 USC § 13102
<b>Household Goods Freight Forwarder</b>	The term “household goods freight forwarder” means a freight forwarder of one or more of the following items: household goods, unaccompanied baggage, or used automobiles.	49 USC § 13102
<b>Household Goods Motor Carrier</b>	(A) “The term ‘household goods motor carrier’ means a motor carrier that, in the ordinary course of its business of providing transportation of household goods, offers some or all of the following additional services: (i) Binding and nonbinding estimates; (ii) Inventorying; (iii) Protective packing and unpacking of individual items at personal residences; (iv) Loading and unloading at personal residences. (C) Limited Service Exclusion - The term does not include a motor carrier when the motor carrier provides transportation of household goods in containers or trailers that are entirely loaded and unloaded by an individual (other than an employee or agent of the motor carrier).	49 USC § 13102

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>HTS, HTSUS</b>	The term “HTS” means the Harmonized Tariff Schedule of the United States.	19 USC §§ 3501, 4002, 4502
<b>Imminent Hazard</b>	“Imminent hazard” means the existence of a condition relating to hazardous material that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury, or endangerment.	49 USC § 5102
<b>Indian Tribe</b>	“Indian tribe” has the same meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).	49 USC § 5102
<b>Information Technology Agreement</b>	The term “Information Technology Agreement” means the Ministerial Declaration on Trade in Information Technology Products of the World Trade Organization, agreed to at Singapore December 13, 1996.	19 USC § 4210
<b>Interchange</b>	Interchange means—(1) The act of providing intermodal equipment to a motor carrier pursuant to an intermodal equipment interchange agreement for the purpose of transporting the equipment for loading or unloading by any person or repositioning the equipment for the benefit of the equipment provider, but it does not include the leasing of equipment to a motor carrier for primary use in the motor carrier’s freight hauling operations; or (2) The act of providing a passenger carrying commercial motor vehicle by one motor carrier of passengers to another such carrier, at a point which both carriers are authorized to serve, with which to continue a through movement; (3) For property-carrying vehicles, see § 376.2 of this subchapter.	49 CFR § 390.5T
<b>Intermodal Equipment</b>	Intermodal equipment means trailing equipment that is used in the intermodal transportation of containers over public highways in interstate commerce, including trailers and chassis.	49 CFR § 390.5T
<b>Intermodal Equipment Interchange Agreement</b>	Intermodal equipment interchange agreement means the Uniform Intermodal Interchange and Facilities Access Agreement (UIIFA) or any other written document executed by an intermodal equipment provider or its agent and a motor carrier or its agent, the primary purpose of which is to establish the responsibilities and liabilities of both parties with respect to the interchange of the intermodal equipment.	49 CFR § 390.5T
<b>Intermodal Equipment Provider (IEP)</b>	Intermodal equipment provider means any person that interchanges intermodal equipment with a motor carrier pursuant to a written interchange agreement or has a contractual responsibility for the maintenance of the intermodal equipment.	49 CFR § 390.5T
<b>Intermodal Transportation</b>	“Intermodal transportation” means the successive transportation of a loaded container or trailer from its place of origin to its place of destination by more than one mode of transportation in interstate or foreign commerce, whether under a single bill of lading or under separate bills of lading.	49 USC § 5901
<b>International Trade</b>	The term “international trade” includes, but is not limited to—(A) trade in both goods and services, and (B) foreign direct investment by United States persons, especially if such investment has implications for trade in goods and services.	19 USC § 2906
<b>International Transport</b>	The term “international transport” means the transportation of a container between—(A) a place in a foreign country and a place in the jurisdiction of the United States; or (B) two places outside the United States by United States carriers.	46 USC § 80501

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Interstate Air Commerce</b>	Interstate air commerce means the carriage by aircraft of persons or property for compensation or hire, or the carriage of mail by aircraft, or the operation or navigation of aircraft in the conduct or furtherance of a business or vocation, in commerce between a place in any State of the United States, or the District of Columbia, and a place in any other State of the United States, or the District of Columbia; or between places in the same State of the United States through the airspace over any place outside thereof; or between places in the same territory or possession of the United States, or the District of Columbia.	14 CFR § 1.1
	“Interstate air commerce” means the transportation of passengers or property by aircraft for compensation, the transportation of mail by aircraft, or the operation of aircraft in furthering a business or vocation—(A) between a place in—(i) a State, territory, or possession of the United States and a place in the District of Columbia or another State, territory, or possession of the United States; (ii) a State and another place in the same State through the airspace over a place outside the State; (iii) the District of Columbia and another place in the District of Columbia; or (iv) a territory or possession of the United States and another place in the same territory or possession; and (B) when any part of the transportation or operation is by aircraft.	49 USC § 40102
<b>Interstate Air Transportation</b>	Interstate air transportation means the carriage by aircraft of persons or property as a common carrier for compensation or hire, or the carriage of mail by aircraft in commerce: (1) Between a place in a State or the District of Columbia and another place in another State or the District of Columbia; (2) Between places in the same State through the airspace over any place outside that State; or (3) Between places in the same possession of the United States; Whether that commerce moves wholly by aircraft or partly by aircraft and partly by other forms of transportation.	14 CFR § 1.1
	“Interstate air transportation” means the transportation of passengers or property by aircraft as a common carrier for compensation, or the transportation of mail by aircraft—(A) between a place in—(i) a State, territory, or possession of the United States and a place in the District of Columbia or another State, territory, or possession of the United States; (ii) Hawaii and another place in Hawaii through the airspace over a place outside Hawaii; (iii) the District of Columbia and another place in the District of Columbia; or (iv) a territory or possession of the United States and another place in the same territory or possession; and (B) when any part of the transportation is by aircraft.	49 USC § 40102
<b>Interstate Commerce</b>	Interstate commerce means trade, traffic, or transportation in the United States—(1) Between a place in a State and a place outside of such State (including a place outside of the United States); (2) Between two places in a State through another State or a place outside of the United States; or (3) Between two places in a State as part of trade, traffic, or transportation originating or terminating outside the State or the United States.	49 CFR § 390.5T
	“Interstate commerce” means commerce between a place in a State and a place in another State or between places in the same State through another State.	49 USC § 30102
	“Interstate commerce” means trade, traffic, or transportation in the United States between a place in a State and—(A) a place outside that State (including a place outside the United States); or (B) another place in the same State through another State or through a place outside the United States.	49 USC § 31132
<b>Interstate or Foreign Commerce</b>	Related to gas, means commerce—(i) between a place in a State and a place outside that State; or (ii) that affects any commerce described in subclause (A)(i) of this clause; and (B) related to hazardous liquid, means commerce between—(i) a place in a State and a place outside that State; or (ii) places in the same State through a place outside the State.	49 USC § 60101

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Intrastate Air Transportation</b>	Intrastate air transportation means the carriage of persons or property as a common carrier for compensation or hire, by turbojet-powered aircraft capable of carrying thirty or more persons, wholly within the same State of the United States.	14 CFR § 1.1
	“Intrastate air transportation” means the transportation by a common carrier of passengers or property for compensation, entirely in the same State, by turbojet-powered aircraft capable of carrying at least 30 passengers.	49 USC § 40102
<b>Intrastate Commerce</b>	Intrastate commerce means any trade, traffic, or transportation in any State which is not described in the term “interstate commerce.”	49 CFR § 390.5T
	“Intrastate commerce” means trade, traffic, or transportation in a State that is not interstate commerce.	49 USC § 31132
<b>Kimberley Process Certificate</b>	The term “Kimberley Process Certificate” means a forgery resistant document of a Participant that demonstrates that an importation or exportation of rough diamonds has been controlled through the Kimberley Process Certification Scheme and contains the minimum elements set forth in Annex I to the Kimberley Process Certification Scheme.	19 USC § 3902
<b>Local Governmental Authority</b>	The term “local governmental authority” includes—(A) a political subdivision of a State; (B) an authority of at least 1 State or political subdivision of a State; (C) an Indian tribe; and (D) a public corporation, board, or commission established under the laws of a State.	49 USC § 5302
<b>Locomotive</b>	Locomotive means a piece of on-track equipment other than hi-rail, specialized maintenance, or other similar equipment—(1) With one or more propelling motors designed for moving other equipment; (2) With one or more propelling motors designed to carry freight or passenger traffic or both; or (3) Without propelling motors but with one or more control stands.	49 CFR § 229.5
<b>Locomotive Servicing Track Area</b>	Locomotive servicing track area means one or more tracks, within an area in which the testing, servicing, repair, inspection, or rebuilding of locomotives is under the exclusive control of mechanical department personnel.	49 CFR § 218.5
<b>Mail</b>	“Mail” means United States mail and foreign transit mail.	49 USC. § 40102
<b>Marine Terminal Facilities</b>	Marine terminal facilities means one or more structures (and services connected therewith) comprising a terminal unit, including, but not limited to docks, berths, piers, aprons, wharves, warehouses, covered and/or open storage space, cold storage plants, grain elevators and/or bulk cargo loading and/or unloading structures, landings, and receiving stations, used for the transmission, care and convenience of cargo and/or passengers or the interchange of same between land and ocean common carriers or between two ocean common carriers. This term is not limited to waterfront or port facilities and includes so-called off-dock container freight stations at inland locations and any other facility from which inbound waterborne cargo may be tendered to the consignee or outbound cargo may be received from shippers for vessel or container loading.	46 CFR § 535.104
<b>Marine Terminal Operator (MTO)</b>	Marine terminal operator means a person engaged in the United States in the business of furnishing wharfage, dock, warehouse, or other terminal facilities in connection with a common carrier, or in connection with a common carrier and a water carrier subject to subchapter II of chapter 135 of title 49 U.S.C. This term does not include shippers or consignees who exclusively furnish marine terminal facilities or services in connection with tendering or receiving proprietary cargo from a common carrier or water carrier.	46 CFR § 535.104



# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Motor Carrier</b>	Motor carrier means a for-hire motor carrier or private motor carrier. The term includes a motor carrier’s agents, officers, and representatives, as well as employees responsible for hiring, supervising, training, assigning, or dispatching a driver or an employee concerned with the installation, inspection, and maintenance of motor vehicle equipment or accessories.	49 CFR § 350.105
	Motor carrier means a for-hire motor carrier or a private motor carrier. The term includes, but is not limited to, a motor carrier’s agent, officer, or representative; an employee responsible for hiring, supervising, training, assigning, or dispatching a driver; or an employee concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories.	49 CFR § 387.5
	Motor carrier means a for-hire motor carrier or a private motor carrier. The term includes a motor carrier’s agents, officers and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories. For purposes of this subchapter, this definition includes the terms employer, and exempt motor carrier.	49 CFR § 390.5T
	The term “motor carrier” means a person providing motor vehicle transportation for compensation.	49 USC § 13102
	“Motor carrier”—(A) means a motor carrier, motor private carrier, and freight forwarder as those terms are defined in section 13102 [49 USCS § 13102]; but (B) does not include a freight forwarder, as so defined, if the freight forwarder is not performing a function relating to highway transportation.	49 USC § 5102
<b>Motor Vehicle</b>	Motor vehicle means a wheeled vehicle whose primary purpose is ordinarily the non-commercial transportation of passengers, including an automobile, pickup truck, minivan or sport utility vehicle.	46 CFR § 530.3
	Motor vehicle means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the Federal Motor Carrier Safety Administration, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service.	49 CFR § 390.5T
	The term “motor vehicle” means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway in transportation, or a combination determined by the Secretary, but does not include a vehicle, locomotive, or car operated only on a rail, or a trolley bus operated by electric power from a fixed overhead wire, and providing local passenger transportation similar to street-railway service.	49 USC § 13102
	“Motor vehicle” means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, but does not include a vehicle operated only on a rail line.	49 USC § 30102
	“Motor vehicle” means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on public streets, roads, or highways, but does not include a vehicle, machine, tractor, trailer, or semitrailer operated only on a rail line or custom harvesting farm machinery.	49 USC § 31301
<b>Motor Vehicle Equipment</b>	“Motor vehicle equipment” means—(A) any system, part, or component of a motor vehicle as originally manufactured; (B) any similar part or component manufactured or sold for replacement or improvement of a system, part, or component, or as an accessory or addition to a motor vehicle; or (C) any device or an article or apparel, including a motorcycle helmet and excluding medicine or eyeglasses prescribed by a licensed practitioner, that—(i) is not a system, part, or component of a motor vehicle; and (ii) is manufactured, sold, delivered, or offered to be sold for use on public streets, roads, and highways with the apparent purpose of safeguarding users of motor vehicles against risk of accident, injury, or death.	49 USC § 30102

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Motor Vehicle Safety</b>	“Motor vehicle safety” means the performance of a motor vehicle or motor vehicle equipment in a way that protects the public against unreasonable risk of accidents occurring because of the design, construction, or performance of a motor vehicle, and against unreasonable risk of death or injury in an accident, and includes nonoperational safety of a motor vehicle.	49 USC § 30102
<b>Motor Vehicle Safety Standard</b>	“Motor vehicle safety standard” means a minimum standard for motor vehicle or motor vehicle equipment performance.	49 USC § 30102
<b>NAFTA</b>	The term “NAFTA” means the North American Free Trade Agreement approved by Congress under section 101(a)(1) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3311(a)(1)).	19 USC § 4502
<b>Navigable Airspace</b>	“Navigable airspace” means airspace above the minimum altitudes of flight prescribed by regulations under this subpart and subpart III of this part [49 USCS §§ 40101 et seq., 44101 et seq.], including airspace needed to ensure safety in the takeoff and landing of aircraft.	49 USC § 40102
<b>Navigable Waters of the United States</b>	“Navigable waters of the United States” includes all waters of the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.	46 USC § 2101
<b>Navigate Airspace</b>	“Navigate aircraft” and “navigation of aircraft” include piloting aircraft.	49 USC § 40102
<b>Non-Brokerage Service</b>	Non-brokerage service is all other service performed by a broker on behalf of a motor carrier, consignor, or consignee.	49 CFR § 371.2
<b>Non-Vessel-Operating Common Carrier</b>	Non-vessel-operating common carrier (“NVOCC”) means an ocean transportation intermediary as defined by section 3(17)(B) of the Act (46 U.S.C. 40102(16)).	46 CFR § 530.3
<b>Numbered Vessel</b>	In this title [Title 46], the term “numbered vessel” means a vessel for which a number has been issued under chapter 123 of this title [Title 46].	46 USC § 111
<b>Ocean Common Carrier</b>	Ocean common carrier means a common carrier that operates, for all or part of its common carrier service, a vessel on the high seas or the Great Lakes between a port in the United States and a port in a foreign country, except that the term does not include a common carrier engaged in ocean transportation by ferry boat, ocean tramp, or chemical parcel-tanker.	46 CFR §§ 530.3, 535.104.
	The term “ocean common carrier” means a vessel-operating common carrier.	46 USC § 40102
<b>Ocean Freight Forwarder</b>	Ocean freight forwarder means a person in the United States that dispatches shipments from the United States via common carriers and books or otherwise arranges space for those shipments on behalf of shippers; and processes the documentation or performs related activities incident to those shipments.	46 CFR § 535.104
	The term “ocean freight forwarder” means a person that—(A) in the United States, dispatches shipments from the United States via a common carrier and books or otherwise arranges space for those shipments on behalf of shippers; and (B) processes the documentation or performs related activities incident to those shipments.	46 USC § 40102
<b>Ocean Transportation Intermediary</b>	The term “ocean transportation intermediary” means an ocean freight forwarder or a non-vessel-operating common carrier.	46 USC § 40102
<b>Officer of Customs</b>	The term “officer of customs” means any officer of the Customs Service or any commissioned, warrant, or petty officer of the Coast Guard, or agent or other person authorized by law or by the Secretary of the Treasury, or appointed in writing by a collector, to perform the duties of an officer of the Customs Service.	19 USC § 1709

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Operate Aircraft</b>	“Operate aircraft” and “operation of aircraft” mean using aircraft for the purposes of air navigation, including—(A) the navigation of aircraft; and (B) causing or authorizing the operation of aircraft with or without the right of legal control of the aircraft.	49 USC. § 40102
<b>Order</b>	“Order” means an order by indorsement on a bill of lading.	49 USC § 80101
<b>Person</b>	The term “person” means an individual or entity.	19 USC § 3902
	Person means an individual, firm, partnership, corporation, company, association, joint-stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.	14 CFR § 1.1
	Person means individuals, corporations, partnerships and associations existing under or authorized by the laws of the United States or of a foreign country.	46 CFR § 535.104
	Person means any individual, partnership, association, corporation, business trust, or any other organized group of individuals.	49 CFR § 390.5T
	“Person”, in addition to its meaning under section 1 of title 1, includes a trustee, receiver, assignee, or personal representative of a person.	49 USC § 10102
	The term “person”, in addition to its meaning under section 1 of title 1, includes a trustee, receiver, assignee, or personal representative of a person.	49 USC § 13102
	“Person”, in addition to its meaning under section 1 of title 1 [1 USCS § 1], includes a governmental authority and a trustee, receiver, assignee, and other similar representative.	49 USC § 40102
	“Person”, in addition to its meaning under section 1 of title 1 [1 USCS § 1]—(A) includes a government, Indian tribe, or authority of a government or tribe that—(i) offers hazardous material for transportation in commerce; (ii) transports hazardous material to further a commercial enterprise; or (iii) designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs, or tests a package, container, or packaging component that is represented, marked, certified, or sold as qualified for use in transporting hazardous material in commerce; but (B) does not include—(i) the United States Postal Service; and (ii) in sections 5123 and 5124 of this title [49 USCS §§ 5123 and 5124], a department, agency, or instrumentality of the Government.	49 USC § 5102
“Person”, in addition to its meaning under section 1 of title 1 (except as to societies), includes a State, a municipality, and a trustee, receiver, assignee, or personal representative of a person.	49 USC § 60101	
<b>Pipeline Facility</b>	“Pipeline facility” means a gas pipeline facility and a hazardous liquid pipeline facility.	49 USC § 60101
<b>Pipeline Transportation</b>	“Pipeline transportation” means transporting gas and transporting hazardous liquid.	49 USC § 60101
<b>Port</b>	Port means the place at which an ocean common carrier originates or terminates (and/or transships) its actual ocean carriage of cargo or passengers as to any particular transportation movement.	46 CFR § 535.104
<b>Price</b>	“Price” means a rate, fare, or charge.	49 USC § 40102

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Public Aircraft</b>	<p>“Public aircraft” means any of the following: (A) Except with respect to an aircraft described in subparagraph (E), an aircraft used only for the United States Government, except as provided in section 40125(b); (B) An aircraft owned by the Government and operated by any person for purposes related to crew training, equipment development, or demonstration, except as provided in section 40125(b); (C) An aircraft owned and operated by the government of a State, the District of Columbia, or a territory or possession of the United States or a political subdivision of one of these governments, except as provided in section 40125(b); (D) An aircraft exclusively leased for at least 90 continuous days by the government of a State, the District of Columbia, or a territory or possession of the United States or a political subdivision of one of these governments, except as provided in section 40125(b); (E) An aircraft owned or operated by the armed forces or chartered to provide transportation or other commercial air service to the armed forces under the conditions specified by section 40125(c). In the preceding sentence, the term “other commercial air service” means an aircraft operation that (i) is within the United States territorial airspace; (ii) the Administrator of the Federal Aviation Administration determines is available for compensation or hire to the public, and (iii) must comply with all applicable civil aircraft rules under title 14, Code of Federal Regulations; (F) An unmanned aircraft that is owned and operated by, or exclusively leased for at least 90 continuous days by, an Indian Tribal government, as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), except as provided in section 40125(b).</p>	49 USC § 40102
<b>Public Transportation</b>	<p>The term “public transportation”—(A) means regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; and (B) does not include—(i) intercity passenger rail transportation provided by the entity described in chapter 243 (or a successor to such entity); (ii) intercity bus service; (iii) charter bus service; (iv) school bus service; (v) sightseeing service; (vi) courtesy shuttle service for patrons of one or more specific establishments; or (vii) intra-terminal or intra-facility shuttle services.</p>	49 USC § 5302
<b>Public Unmanned Aircraft System</b>	<p>The term “public unmanned aircraft system” means an unmanned aircraft system that meets the qualifications and conditions required for operation of a public aircraft.</p>	49 USC § 44801
<b>Rail Carrier</b>	<p>“Rail carrier” means a person providing common carrier railroad transportation for compensation, but does not include street, suburban, or interurban electric railways not operated as part of the general system of rail transportation.</p>	49 USC § 10102
<b>Railroad</b>	<p>Railroad means all forms of non-highway ground transportation that run on rails or electromagnetic guideways, including: (1) Commuter or other short-haul rail passenger service in a metropolitan or suburban area, and (2) High speed ground transportation systems that connect metropolitan areas, without regard to whether they use new technologies not associated with traditional railroads. Such term does not include rapid transit operations within an urban area that are not connected to the general railroad system of transportation.</p>	49 CFR § 229.5
	<p>“Railroad” includes—(A) a bridge, car float, lighter, ferry, and intermodal equipment used by or in connection with a railroad; (B) the road used by a rail carrier and owned by it or operated under an agreement; and (C) a switch, spur, track, terminal, terminal facility, and a freight depot, yard, and ground, used or necessary for transportation.</p>	49 USC § 10102
<b>Rate</b>	<p>Rate, for purposes of this part, includes both the basic price paid by a shipper to an ocean common carrier for a specified level of transportation service for a stated quantity of a particular commodity, from origin to destination, on or after a stated effective date or within a defined time frame, and also any accessorial charges or allowances that increase or decrease the total transportation cost to the shipper.</p>	46 CFR § 535.104
	<p>“Rate” means a rate or charge for transportation.</p>	49 USC § 10102

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Risk Management</b>	"Risk management" means the systematic application, by the owner or operator of a pipeline facility, of management policies, procedures, finite resources, and practices to the tasks of identifying, analyzing, assessing, reducing, and controlling risk in order to protect employees, the general public, the environment, and pipeline facilities.	49 USC § 60101
<b>Risk Management Plan</b>	"Risk management plan" means a management plan utilized by a gas or hazardous liquid pipeline facility owner or operator that encompasses risk management.	49 USC § 60101
<b>Semitrailer</b>	Semitrailer means a trailer, except a pole trailer, so constructed that a substantial part of its weight rests upon or is carried by another motor vehicle.	49 CFR § 571.3
<b>Sense and Avoid Capability</b>	The term "sense and avoid capability" means the capability of an unmanned aircraft to remain a safe distance from and to avoid collisions with other airborne aircraft, structures on the ground, and other objects.	49 USC 44801
<b>Service Contract</b>	Service contract means a written contract, other than a bill of lading or receipt, between one or more shippers and an individual ocean common carrier or an agreement between or among ocean common carriers in which the shipper makes a commitment to provide a certain minimum quantity or portion of its cargo or freight revenue over a fixed time period, and the individual ocean common carrier or the agreement commits to a certain rate or rate schedule and a defined service level, such as, assured space, transit time, port rotation, or similar service features. The contract may also specify provisions in the event of nonperformance on the part of any party.	46 CFR § 530.3
	Service contract means a written contract, other than a bill of lading or a receipt, between one or more shippers and an individual ocean common carrier or an agreement between or among ocean common carriers in which the shipper or shippers makes a commitment to provide a certain volume or portion of cargo over a fixed time period, and the ocean common carrier or the agreement commits to a certain rate or rate schedule and a defined service level, such as assured space, transit time, port rotation, or similar service features. The contract may also specify provisions in the event of nonperformance on the part of any party.	46 CFR § 535.104
	The term "service contract" means a written contract, other than a bill of lading or receipt, between one or more shippers, on the one hand, and an individual ocean common carrier or an agreement between or among ocean common carriers, on the other, in which—(A) the shipper or shippers commit to providing a certain volume or portion of cargo over a fixed time period; and (B) the ocean common carrier or the agreement commits to a certain rate or rate schedule and a defined service level, such as assured space, transit time, port rotation, or similar service features.	46 USC § 40102
<b>Shipment</b>	The term "shipment" means all of the cargo carried under the terms of a single bill of lading.	46 USC § 40102

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>Shipper</b>	Shipper means a cargo owner; the person for whose account the ocean transportation is provided; the person to whom delivery is to be made; a shippers' association; or an NVOCC that accepts responsibility for payment of all applicable charges under the service contract.	46 CFR § 530.3
	Shipper means: (1) A cargo owner; (2) The person for whose account the ocean transportation is provided; (3) The person to whom delivery is to be made; (4) A shippers' association; or (5) A non-vessel-operating common carrier (i.e., a common carrier that does not operate the vessels by which the ocean transportation is provided and is a shipper in its relationship with an ocean common carrier) that accepts responsibility for payment of all charges applicable under the tariff or service contract.	46 CFR § 535.104
	The term "shipper" means—(A) a cargo owner; (B) the person for whose account the ocean transportation of cargo is provided; (C) the person to whom delivery is to be made; (D) a shippers' association; or (E) a non-vessel-operating common carrier that accepts responsibility for payment of all charges applicable under the tariff or service contract.	46 USC § 40102
	Shipper means a person who sends or receives property which is transported in interstate or foreign commerce.	49 CFR § 376.2
	Shipper means a person who tenders property to a motor carrier or driver of a commercial motor vehicle for transportation in interstate commerce, or who tenders hazardous materials to a motor carrier or driver of a commercial motor vehicle for transportation in interstate or intrastate commerce.	49 CFR § 390.5T
<b>Small Unmanned Aircraft</b>	The term "small unmanned aircraft" means an unmanned aircraft weighing less than 55 pounds, including the weight of anything attached to or carried by the aircraft.	49 USC 44801
<b>State</b>	The term "State" includes any State, the District of Columbia, and Puerto Rico.	19 USC § 81a
	State means a State of the United States, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands and any other territory or possession of the United States.	46 CFR § 2.10-25
	In this title, [Title 46] the term "State" means a State of the United States, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.	46 USC § 112
	State means a State of the United States, the District of Columbia, American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands, unless otherwise specified in this part.	49 CFR § 350.105
	State means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.	49 CFR § 387.5
	State means a State of the United States and the District of Columbia and includes a political subdivision of a State.	49 CFR § 390.5T
	"State" means a State of the United States and the District of Columbia.	49 USC § 10102
	The term "State" means the 50 States of the United States and the District of Columbia.	49 USC § 13102
	"State" means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.	49 USC § 30102
	"State" means a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.	49 USC § 31101
"State" means a State of the United States, the District of Columbia, and, in sections 31136 and 31140–31142 of this title [49 USCS §§ 31136 and 31140–31142], a political subdivision of a State.	49 USC § 31132	

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>State</b> <i>(continued)</i>	"State" means a State of the United States and the District of Columbia.	49 USC § 31301
	"State" means—(A) except in section 5119 of this title [49 USCS § 5119], a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, Guam, and any other territory or possession of the United States designated by the Secretary; and (B) in section 5119 of this title [49 USCS § 5119], a State of the United States and the District of Columbia.	49 USC § 5102
	The term "State" means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.	49 USC § 5302
	"State" means a State of the United States, the District of Columbia, and Puerto Rico.	49 USC § 60101
	The term "State" means a State, the District of Columbia, and Puerto Rico.	49 USC § 6102
	"State" means a State of the United States, the District of Columbia, and a territory or possession of the United States.	49 USC § 80101
<b>State Authority</b>	"State authority" means an authority of a State designated under State law—(A) to receive notice required to be given a State authority under subpart II of this part; or (B) as the representative of the State before the Secretary of Transportation in any matter about which the Secretary is required to consult with or consider the views of a State authority under subpart II of this part.	49 USC § 40102
<b>Territorial Waters</b>	The term "territorial waters of the United States" includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.	46 USC § 70054
<b>Trade Enforcement</b>	The term "trade enforcement" means the enforcement of the customs and trade laws of the United States.	19 USC § 4301
<b>Trade Facilitation</b>	The term "trade facilitation" refers to policies and activities of U.S. Customs and Border Protection with respect to facilitating the movement of merchandise into and out of the United States in a manner that complies with the customs and trade laws of the United States.	19 USC § 4301
<b>Trailer</b>	Trailer includes: (1) Full trailer means any motor vehicle other than a pole trailer which is designed to be drawn by another motor vehicle and so constructed that no part of its weight, except for the towing device, rests upon the self-propelled towing motor vehicle. A semitrailer equipped with an auxiliary front axle (converter dolly) shall be considered a full trailer. (2) Pole trailer means any motor vehicle which is designed to be drawn by another motor vehicle and attached to the towing motor vehicle by means of a "reach" or "pole," or by being "boomed" or otherwise secured to the towing motor vehicle, for transporting long or irregularly shaped loads such as poles, pipes, or structural members, which generally are capable of sustaining themselves as beams between the supporting connections. (3) Semitrailer means any motor vehicle, other than a pole trailer, which is designed to be drawn by another motor vehicle and is constructed so that some part of its weight rests upon the self-propelled towing motor vehicle.	49 CFR § 390.5T
	Trailer means a motor vehicle with or without motive power, designed for carrying persons or property and for being drawn by another motor vehicle.	49 CFR § 571.3
	"Trailer" means a nonpower, property carrying, trailing unit that is designed for use in combination with a truck tractor.	49 USC § 5901
<b>Transit</b>	The term "transit" means public transportation.	49 USC § 5302

# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
Transportation	<p>“Transportation” includes—(A) a locomotive, car, vehicle, vessel, warehouse, wharf, pier, dock, yard, property, facility, instrumentality, or equipment of any kind related to the movement of passengers or property, or both, by rail, regardless of ownership or an agreement concerning use; and (B) services related to that movement, including receipt, delivery, elevation, transfer in transit, refrigeration, icing, ventilation, storage, handling, and interchange of passengers and property.</p>	49 USC § 10102
	<p>The term “transportation” includes—(A) a motor vehicle, vessel, warehouse, wharf, pier, dock, yard, property, facility, instrumentality, or equipment of any kind related to the movement of passengers or property, or both, regardless of ownership or an agreement concerning use; and (B) services related to that movement, including arranging for, receipt, delivery, elevation, transfer in transit, refrigeration, icing, ventilation, storage, handling, packing, unpacking, and interchange of passengers and property.</p>	49 USC § 13102
	<p>“Transports” or “transportation” means the movement of property and loading, unloading, or storage incidental to the movement.</p>	49 USC § 5102
Transshipment Agreement	<p>Transshipment agreement means an agreement between an ocean common carrier serving a port or point of origin and another such carrier serving a port or point of destination, whereby cargo is transferred from one carrier to another carrier at an intermediate port served by direct vessel call of both such carriers in the conduct of through transportation and the publishing carrier performs the transportation on one leg of the through transportation on its own vessel or on a vessel on which it has rights to space under a filed and effective agreement. Such an agreement does not provide for the concerted discussion, publication or otherwise fixing of rates for the account of the cargo interests, conditions of service or other tariff matters other than the tariff description of the transshipment service offered, the port of transshipment and the participation of the nonpublishing carrier. An agreement that involves the movement of cargo in a domestic offshore trade as part of a through movement of cargo via transshipment involving the foreign commerce of the United States shall be considered to be in the foreign commerce of the United States and, therefore, subject to the Act and this part.</p>	46 CFR § 535.104
Truck	<p>Truck means any self-propelled commercial motor vehicle except a truck tractor, designed and/or used for the transportation of property.</p>	49 CFR § 390.5T
	<p>Truck means a motor vehicle with motive power, except a trailer, designed primarily for the transportation of property or special purpose equipment.</p>	49 CFR § 571.3
United States	<p>The term “United States”, when used in the geographic sense, means the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.</p>	19 USC § 3902
	<p>United States, in a geographical sense, means (1) the States, the District of Columbia, Puerto Rico, and the possessions, including the territorial waters, and (2) the airspace of those areas.</p>	14 CFR § 1.1
	<p>United States includes the several States, the District of Columbia, and the several territories and possessions of the United States. “State” includes any of the individual entities comprising the United States.</p>	14 CFR § 323.2
	<p>The term “United States” includes the several States, the District of Columbia, and the Commonwealth of Puerto Rico.</p>	19 USC § 2095
	<p>The term “United States” includes the several States, the District of Columbia, and any territory or area the foreign relations for which the United States is responsible.</p>	19 USC § 2601
	<p>The term “United States”, when used in a geographical sense, includes all Territories and possessions of the United States, except the Virgin Islands, the Canal Zone, American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Island, and the island of Guam.</p>	19 USC § 1709



# Glossary of Transportation Law Terms

TERM	DEFINITION	REFERENCE
<b>United States</b> <i>(continued)</i>	The term “United States”, when used in a geographic sense, means the States of the United States, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.	46 USC § 114
	The term “United States” includes all territory and waters, continental or insular, subject to the jurisdiction of the United States.	46 USC § 70054
	United States means the 50 States and the District of Columbia.	49 CFR § 390.5T
	“United States” means the States of the United States and the District of Columbia.	49 USC § 10102
	The term “United States” means the States of the United States and the District of Columbia.	49 USC § 13102
	“United States” means the States of the United States and the District of Columbia.	49 USC § 31301
	“United States” means the States of the United States, the District of Columbia, and the territories and possessions of the United States, including the territorial sea and the overlying airspace.	49 USC § 40102
	“United States” means all of the States.	49 USC § 5102
<b>United States Air Carrier</b>	United States air carrier means a citizen of the United States who undertakes directly by lease, or other arrangement, to engage in air transportation.	14 CFR § 1.1
<b>United States Carrier</b>	The term “United States Carrier” means an ocean common carrier operating vessels documented under the laws of the United States.	46 USC § 42301
<b>United States Citizen</b>	The term “United States citizen” means—(A) any individual who is a citizen or national of the United States; (B) any corporation, partnership, association, or other legal entity organized or existing under the laws of the United States or any State; or (C) any department, agency, or entity of the Federal Government or of any government of any State.	19 USC § 2601
<b>United States Person</b>	The term “United States person” means—(A) any United States citizen or any alien admitted for permanent residence into the United States; (B) any entity organized under the laws of the United States or any jurisdiction within the United States (including its foreign branches); and (C) any person in the United States.	19 USC § 3902
	The term “United States person” means—(A) a United States citizen; (B) a partnership, corporation, or other legal entity organized under the laws of the United States; and (C) a partnership, corporation, or other legal entity that is organized under the laws of a foreign country and is controlled by entities described in subparagraph (B) or United States citizens, or both.	19 USC § 3813
	The term “United States person” means—(A) a United States citizen; (B) a partnership, corporation, or other legal entity that is organized under the laws of the United States; and (C) a partnership, corporation, or other legal entity that is organized under the laws of a foreign country and is controlled by entities described in subparagraph (B) or United States citizens, or both.	19 USC § 4210
<b>Unmanned Aircraft</b>	The term “unmanned aircraft” means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.	49 USC § 44801
<b>Unmanned Aircraft System</b>	The term “unmanned aircraft system” means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system.	49 USC § 44801

TERM	DEFINITION	REFERENCE
<b>USMCA</b>	The term “USMCA” means the Agreement between the United States of America, the United Mexican States, and Canada, which is—(A) attached as an Annex to the Protocol Replacing the North American Free Trade Agreement with the Agreement between the United States of America, the United Mexican States, and Canada, done at Buenos Aires on November 30, 2018, as amended by the Protocol of Amendment to the Agreement Between the United States of America, the United Mexican States, and Canada, done at Mexico City on December 10, 2019; and (B) approved by Congress under section 4511(a)(1) of this title [Title 19].	19 USC § 4502
<b>USMCA Country</b>	Except as otherwise provided, the term “USMCA country” means—(A) Canada for such time as the USMCA is in force with respect to, and the United States applies the USMCA to, Canada; and (B) Mexico for such time as the USMCA is in force with respect to, and the United States applies the USMCA to, Mexico.	19 USC § 4502
<b>UTM</b>	The term “UTM” means an unmanned aircraft system traffic management system or service.	49 USC § 44801
<b>Vessel</b>	The term “vessel” means a watercraft or other artificial contrivance that is used, is capable of being used, or is intended to be used, as a means of transportation by water.	49 USC § 13102
	In this title [Title 46], the term “vessel of the United States” means a vessel documented under chapter 121 of this title [Title 46] (or exempt from documentation under section 12102(c) of this title) [Title 46], numbered under chapter 123 of this title [Title 46], or titled under the law of a State.	46 USC § 116
<b>Water Carrier</b>	The term “water carrier” means a person providing water transportation for compensation.	49 USC § 13102