

compensation or, where in its judgment conditions warrant, higher rates or compensation than those determined or fixed by the Board. The fact that the Board has not prescribed rates or compensation for the carrier involved, under section 5207 of this title, shall not preclude execution of a contract under this section. Such contracts may be negotiated only after reasonable notice has been posted in advance in post offices on the post roads to be served, and other carriers or persons have been given an opportunity to offer to negotiate for the transportation of mail.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771; Pub. L. 104-88, title III, §307(14), Dec. 29, 1995, 109 Stat. 946.)

AMENDMENTS

1995—Pub. L. 104-88 substituted “Board” for “Commission” in two places.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 701 of Title 49, Transportation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5208 of this title.

§ 5213. Carrier operations; receipts; expenditures

The Postal Service shall request any carrier transporting the mails to furnish, under seal, such data relating to the operations, receipts, and expenditures of such carrier as may, in its judgment, be deemed necessary to enable it to ascertain the cost of mail transportation and the proper compensation to be paid for such service.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771.)

§ 5214. Agreements with passenger common carriers by motor vehicle

The Postal Service may enter into contracts under such terms and conditions as it shall prescribe and without advertising for bids for the transportation of mail, in passenger-carrying motor vehicles, by passenger common carriers, or by motor vehicles over the regular routes on which the carrier is permitted by law to transport passengers.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771.)

§ 5215. Star route certification

(a) Any person who was a contractor under a star route, mail messenger, or contract motor vehicle service contract on the effective date of this section (or successor in interest to any such person), shall, upon application to the Board for the territory within which such contractor operated on or before the effective date of this section be issued a certificate of public convenience and necessity as a motor carrier for the transportation of mail by the Board without the Board's requiring further proof that the public convenience and necessity will be served by such operation and without further proceedings.

(b) Applications of persons who were not contractors on the effective date of this section shall be decided in accordance with applicable Board procedure.

(c) For purposes of this section, the term “person” has the same meaning given that term under section 1 of title 1.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 771; Pub. L. 95-473, §2(a)(4)(E), Oct. 17, 1978, 92 Stat. 1465; Pub. L. 104-88, title III, §307(12)–(14), Dec. 29, 1995, 109 Stat. 946.)

REFERENCES IN TEXT

The effective date of this section, referred to in subsecs. (a) and (b), is July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of this title.

AMENDMENTS

1995—Subsec. (a). Pub. L. 104-88 substituted “Board” for “Commission” in two places, “motor carrier” for “motor common carrier”, and “Board’s” for “Commission’s”.

Subsec. (b). Pub. L. 104-88, §307(14), substituted “Board” for “Commission”.

1978—Subsec. (a). Pub. L. 95-473 substituted “motor common carrier” for “motor carrier”.

EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 701 of Title 49, Transportation.

CHAPTER 54—TRANSPORTATION OF MAIL BY AIR

Sec. 5401.	Authorization.
5402.	Contracts for transportation of mail by air.
5403.	Fines.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 5005 of this title.

§ 5401. Authorization

(a) The Postal Service is authorized to provide for the safe and expeditious transportation of mail by aircraft.

(b) Except as otherwise provided in section 5402 of this title, the Postal Service may make such rules, regulations, and orders consistent with part A of subtitle VII of title 49, or any order, rule, or regulation made by the Secretary of Transportation thereunder, as may be necessary for such transportation.

(Pub. L. 91-375, Aug. 12, 1970, 84 Stat. 772; Pub. L. 98-443, §9(g)(3), Oct. 4, 1984, 98 Stat. 1707; Pub. L. 103-272, §5(k)(3), July 5, 1994, 108 Stat. 1375.)

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-272 substituted “part A of subtitle VII” for “sections 1301-1542”.

1984—Subsec. (b). Pub. L. 98-443 substituted “Secretary of Transportation” for “Civil Aeronautics Board”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-443 effective Jan. 1, 1985, see section 9(v) of Pub. L. 98-443, set out as a note under section 5314 of Title 5, Government Organization and Employees.

EFFECTIVE DATE

Chapter effective July 1, 1971, pursuant to Resolution No. 71-9 of the Board of Governors. See section 15(a) of Pub. L. 91-375, set out as a note preceding section 101 of this title.