

Public Law 89-654

AN ACT

October 14, 1966
[S. 3433]

To make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline, and for other purposes.

Pipeline theft,
penalties.
62 Stat. 729.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first paragraph of section 659 of title 18, United States Code, relating to theft, embezzlement, or other unlawful taking from interstate transportation facilities, is amended (1) by inserting before the word "railroad" the words "pipeline system," (2) by inserting before the word "station" where it first appears the words "tank or storage facility," and (3) by striking out the words "or express" and substituting a comma and the words "express, or other property".

(b) The eighth paragraph of that section is amended by adding at the end thereof the following new sentence: "The removal of property from a pipeline system which extends interstate shall be prima facie evidence of the interstate character of the shipment of the property."

(c) That section is further amended by adding at the end thereof the following new sentence: "Nothing contained in this section shall be construed as indicating an intent on the part of Congress to occupy the field in which provisions of this section operate to the exclusion of State laws on the same subject matter, nor shall any provision of this section be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this section or any provision thereof."

(d) The caption of that section is amended to read as follows:

"§ 659. Interstate or foreign shipments by carrier; State prosecutions."

(e) The item relating to section 659 contained in the chapter analysis of chapter 31, title 18, United States Code, is amended to read as follows:

"659. Interstate or foreign shipments by carriers; State prosecutions."

62 Stat. 797;
63 Stat. 96.

SEC. 2. (a) The first paragraph of section 2117 of title 18, United States Code, relating to breaking the seal or lock on any railroad car, vessel, aircraft, motortruck, wagon, or vehicle containing interstate shipments, is amended by (1) striking out the comma after the word "vehicle" where it first appears, and inserting in lieu thereof the words "or of any pipeline system,"; (2) striking out the comma after the word "express", and inserting in lieu thereof the words "or other property,"; and (3) inserting therein, immediately after the word "vehicle" where it appears the second time, the words "or pipeline system".

(b) That section is further amended by adding at the end thereof the following new sentence: "Nothing contained in this section shall be construed as indicating an intent on the part of Congress to occupy the field in which provisions of this section operate to the exclusion of State laws on the same subject matter, nor shall any provision of this section be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this section or any provision thereof."

(c) The caption of that section is amended to read as follows:

"§ 2117. Breaking or entering carrier facilities."

(d) The item relating to section 2117 contained in the chapter analysis of chapter 103, title 18, United States Code, is amended to read as follows:

"2117. Breaking or entering carrier facilities."

Approved October 14, 1966.