

TITLE 49--TRANSPORTATION SUBTITLE V--RAIL PROGRAMS PART A--

SAFETY CHAPTER 209--ACCIDENTS AND INCIDENTS Sec. 20901. Reports (a) General Requirements.--Not later than 30 days after the end of each month, a railroad carrier shall file a report with the Secretary of Transportation on all accidents and incidents resulting in injury or death to an individual or damage to equipment or a roadbed arising from the carrier's operations during the month. The report shall be under oath and shall state the nature, cause, and circumstances of each reported accident or incident. If a railroad carrier assigns human error as a cause, the report shall include, at the option of each employee whose error is alleged, a statement by the employee explaining any factors the employee alleges contributed to the accident or incident. (b) Monetary Threshold for Reporting.--(1) In establishing or changing a monetary threshold for the reporting of a railroad accident or incident, the Secretary shall base damage cost calculations only on publicly available information obtained from-- (A) the Bureau of Labor Statistics; or (B) another department, agency, or instrumentality of the United States Government if the information has been collected through objective, statistically sound survey methods or has been previously subject to a public notice and comment process in a proceeding of a Government department, agency, or instrumentality. (2) If information is not available as provided in paragraph (1)(A) or (B) of this subsection, the Secretary may use any other source to obtain the information. However, use of the information shall be subject to public notice and an opportunity for written comment. (Pub. L. 103-272, Sec. 1(e), July 5, 1994, 108 Stat. 886.) Historical and Revision Notes

Revised Section Source (U.S. Code) Source (Statutes at Large)

20901(a)..... 45:38 (1st sentence). May 6, 1910, ch. 208, Sec. 1 (1st sentence), 36 Stat. 350; restated Sept. 13, 1960, Pub. L. 86-762, Sec. 1, 74 Stat. 903; June 22, 1988, Pub. L. 100-342, Sec. 15(1)(A), (B), 102 Stat. 633. 45:39 (related to time of May 6, 1910, ch. 208, Sec. 2 (related filing report). to time of filing report), 36 Stat. 351; Jan. 3, 1975, Pub. L. 93-633, Sec. 204(b), 88 Stat. 2166; June 22, 1988, Pub. L. 100-342, Sec. 15(2), 102 Stat. 634. 45:43a. June 22, 1988, Pub. L. 100-342, Sec. 24, 102 Stat. 639. 49 App.:1655(e)(1)(K). Oct. 15, 1966, Pub. L. 89-670, Sec. 6(e)(1)(K), 80 Stat. 939. 20901(b)..... 45:38 (note). Sept. 3, 1992, Pub. L. 102-365, Sec. 15, 106 Stat. 981.

----- In this section, the words "accident" and "incident" are used, and the words "collision" and "derailment" are omitted, for consistency in this part. The words "the general manager, superintendent, or other proper officer of" in 45:38 are omitted as surplus because any duty of a railroad carrier must necessarily be carried out through its proper officers and agents. The text of 45:38 (1st sentence proviso) is omitted as executed. In subsection (b), the words "or incident" are added for consistency. The text of section 15(c) of the Rail Safety Enforcement and Review Act (Pub. L. 102-365, 106 Stat. 981) is omitted as executed.

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