

49 U.S.C.A. § 20101

**C**

**Effective: [See Text Amendments]**

United States Code Annotated [Currentness](#)  
Title 49. Transportation ([Refs & Annos](#))  
Subtitle V. Rail Programs  
Part A. Safety  
    <sup>⌵</sup> [Chapter 201](#). General ([Refs & Annos](#))  
        <sup>⌵</sup> [Subchapter I](#). General

**→ § 20101. Purpose**

The purpose of this chapter is to promote safety in every area of railroad operations and reduce railroad-related accidents and incidents.

CREDIT(S)

(Added [Pub.L. 103-272, § 1\(e\)](#), July 5, 1994, 108 Stat. 863.)

**HISTORICAL AND STATUTORY NOTES**

Revision Notes and Legislative Reports

**1994 Acts.**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20101	45:421.	Oct. 16, 1970, <a href="#">Pub.L. 91-458</a> , § 101, 84
Stat.		971.

The words "The Congress declares that" are omitted as surplus. The words "accidents and incidents" are substituted for "accidents" for consistency with the source provisions restated in section 20105(b)(1)(B) of the revised title. The words "and to reduce deaths and injuries to persons and to reduce damage to property caused by accidents involving any carrier of hazardous materials" are omitted as obsolete because they applied to 49 App.:1761 and 1762, that were repealed by section 113(g) of the Hazardous Materials Transportation Act ([Public Law 93-633, 88 Stat. 2163](#)). [House Report No. 103-180](#).

Short Title

1997 Amendments. [Pub.L. 105-134, § 1\(a\)](#), Dec. 2, 1997, 111 Stat. 2570 provided that: "This Act [amending

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
sections 24101, 24102, 24104, 24301, 24303, 24305, 24306, 24307, 24309, 24312, 24315, 24706, 24902, 24904, of this title, section 9101 of Title 31, and section 8G of Title 5 Appendix 3, enacting sections 24302, 24304, 24701 and 28103 of this title, enacting provisions set out as notes in this section and sections 24101, 24104, 24301, 24304, 24305, 24307, 24312, 24315, 24501 and 24706 of this title and in section 172 of Title 26 and repealing sections 24310, 24314, 24501 to 24506, 24702, 24703, 24704, 24705, 24707, 24708 and 24903 of this title and section 1111 of Title 45] may be cited as the 'Amtrak Reform and Accountability Act of 1997'."

1994 Amendments. [Pub.L. 103-440, Title I, § 101](#), Nov. 2, 1994, 108 Stat. 4615, provided that: "This title [enacting sections 26101 to 26105 of this title, redesignating former sections 26101 and 26102 as 28101 and 28102 of this title, respectively, and enacting provisions set out as notes under section 26101 of this title and section 838 of Title 45, Railroads] may be cited as the 'Swift Rail Development Act of 1994'."

[Pub.L. 103-440, Title II, § 201](#), Nov. 2, 1994, 108 Stat. 4619, provided that: "This title [enacting sections 20145 to 20151 and 21108 of this title, amending sections 103, 20103, 20111, former section 20116, and sections 20117, 20133, 20142, and 21303 of this title, and enacting provisions set out as a note under former section 11504 of this title] may be cited as the 'Federal Railroad Safety Authorization Act of 1994'."

#### LIBRARY REFERENCES



American Digest System


Regulation and control of railroads generally; regulation of railroad operations; injuries arising from operation of railroad, see Railroads  5 et seq., 222(1) et seq., 223 et seq., 273.5 et seq.

#### NOTES OF DECISIONS


##### **Construction with other laws [1](#) State regulation or control [2](#)**



##### [1](#). Construction with other laws

Boiler Inspection Act (BIA) does not create private cause of action, but must be read in conjunction with Federal Employers' Liability Act (FELA). [Kohn v. Norfolk and Western Ry. Co., N.D.Ind.1997, 966 F.Supp. 789](#). Action  3; Employers' Liability  170

To extent that they are inconsistent, Federal Railway Safety Act (FRSA) will supersede Federal Employers' Liability Act (FELA) based on policy embodied in FRSA to ensure uniformity in law pertaining to railway safety. [Rice v. Cincinnati, New Orleans & Pacific Ry. Co., E.D.Ky.1997, 955 F.Supp. 739](#). Employers' Liability  3

##### [2](#). State regulation or control

Conflict preemption defense to negligence claim, which was raised by nondiverse Mississippi Department of Transportation (MDOT), did not support a finding of fraudulent joinder so as to permit dismissal of MDOT, and removal of claim against remaining diverse defendant. *Smallwood v. Illinois Central R. Co.*, C.A.5 ([Miss.](#)) [2003, 342 F.3d 400](#), rehearing denied [2003 WL 22846925](#). Removal Of Cases  36

Federal railroad grade crossing regulations requiring either use of automatic gate or approval from Federal Highway Administration (FHA) of grade crossing improvement where federal funds are involved are triggered, and thus preempt common-law claims based on inadequate warnings at crossing, when (1) federal monies participate in installation of warning devices, such as crossbuck signs, and (2) warning devices are installed and operating. [O'Bannon v. Union Pacific R. Co., W.D.Mo.1997, 960 F.Supp. 1411](#). Railroads  307.3; States  18.21

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Current through P.L. 108-498 (excluding P.L. 108-447, 108-458) approved  
12-23-04.

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