

49 USCA § 20703
49 U.S.C.A. § 20703

UNITED STATES CODE ANNOTATED
TITLE 49. TRANSPORTATION
SUBTITLE V--RAIL PROGRAMS
PART A--SAFETY
CHAPTER 207--LOCOMOTIVES
§ 20703. Accident reports and investigations

(a) Accident reports and scene preservation.--When the failure of a locomotive, tender, or locomotive or tender part or appurtenance results in an accident or incident causing serious personal injury or death, the railroad carrier owning or operating the locomotive or tender--

(1) immediately shall file with the Secretary of Transportation a written statement of the fact of the accident or incident; and

(2) when the locomotive is disabled to the extent it cannot be operated under its own power, shall preserve intact all parts affected by the accident or incident, if possible without interfering with traffic, until an investigation of the accident or incident is completed.

(b) Investigations.--The Secretary shall--

(1) investigate each accident and incident reported under subsection (a) of this section;

(2) inspect each part affected by the accident or incident; and

(3) make a complete and detailed report on the cause of the accident or incident.

(c) Publication and use of investigation reports.--When the Secretary considers publication to be in the public interest, the Secretary may publish a report of an investigation made under this section, stating the cause of the accident or incident and making appropriate recommendations. No part of a report may be admitted into evidence or used in a civil action for damages resulting from a matter mentioned in the report.

CREDIT(S)

(Added [Pub.L. 103-272, § 1\(e\)](#), July 5, 1994, 108 Stat. 886.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

1994 Acts.

20703(a) 45:30(1st sentence Mar. 4, 1915, ch.
169, § 2(1st related to 45:32). sentence related
to § 8 of Act of Feb. 17,
1911), 38 Stat. 1192; Apr. 22,
1940, ch. 124, § 2, 54 Stat. 148;
Reorg.Plan No. 3 of 1965, eff.
July 27, 1965, 79 Stat. 1320.
45:32(1st, 3d sentences). Feb. 17, 1911, ch.
103, § 8, 36 Stat. 916; Apr.
22, 1940, ch. 124, § 1(1)-(3)
(related to § 8 of Act of Feb.
17, 1911), 54 Stat. 148;
Reorg.Plan No. 3 of 1965, eff. July
27, 1965, 79 Stat. 1320; June
22, 1988, Pub.L. 100-342, §
14(6), 102 Stat. 633.
49 Oct. 15, 1966,
Pub.L. 89-670, § App.:1655(e)(1)(E)-(G). 6(e)(1)(E)-(G),
80 Stat. 939.
20703(b) 45:32(2d, last sentences).
20703(c) 45:33.
49 App.:1655(e)(1)(E)-(G).

In this section, the words "or incident" and "and incident" are added for consistency in this part.

In subsection (a), before clause (1), the words "locomotive, tender, or locomotive or tender part or appurtenance ... the locomotive or tender" are substituted for "locomotive boiler or its appurtenances ... said locomotive" in 45:32 and the text of 45:30(1st sentence related to 45:32) for clarity and because of the restatement. The word "personal" is substituted for "to one or more persons" to eliminate unnecessary words. In clause (1), the word "immediately" is substituted for "forthwith" for consistency in this chapter. In clause (2), the words "operated under its own power" are substituted for "cannot be run by its own steam" for clarity. The words "hindrance or" are omitted as being included in "interfering". The word "investigation" is substituted for "inspection" for consistency in this section.

In subsection (c), the words "at any time call upon the director of locomotive inspection for a report of any accident embraced in section 32 of this title, and upon the receipt of said report" are omitted as obsolete because of Reorganization Plan No. 3 of 1965 (eff. July 27, 1965, 79 Stat. 1320) and 49 App.:1655(e)(1)(E)-(G). The text of 45:33(2d sentence) is omitted as surplus. The words "civil action" are substituted for "suit or action" for consistency in the revised title and with other titles of the United States Code. The words "resulting from" are substituted for "growing out of" for clarity. The words "or investigation" are omitted as unnecessary because of the restatement. [House Report No. 103-180](#).

American Digest System

 Regulation of railroad operations; reports and notices of accidents, see Railroads 250.

Encyclopedias

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