

of a pipeline carrier providing transportation or service subject to this part that is a corporation is also a violation of this part by that corporation. The penalties of this chapter apply to that violation. When acting in the scope of their employment, the actions and omissions of individuals acting for or employed by that carrier are considered to be the actions and omissions of that carrier as well as that individual.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11915 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

SUBTITLE V—RAIL PROGRAMS

PART A—SAFETY

Chapter	Sec.
201. General	20101
203. Safety Appliances	20301
205. Signal Systems	20501
207. Locomotives	20701
209. Accidents and Incidents	20901
211. Hours of Service	21101
213. Penalties	21301

PART B—ASSISTANCE

221. Local Rail Freight Assistance	22101
223. Capital Grants for Class II and Class III Railroads	22301
225. Federal grants to States for highway-rail grade crossing safety¹ ...	22501
227. State rail plans²	22701

PART C—PASSENGER TRANSPORTATION

241. General	24101
243. Amtrak	24301
244. Intercity Passenger Rail Service Corridor Capital Assistance	24401
[245. Repealed.]	
247. Amtrak Route System	24701
249. Northeast Corridor Improvement Program	24901

PART D—HIGH-SPEED RAIL

261. High-Speed Rail Assistance	26101
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PART E—MISCELLANEOUS

281. Law Enforcement	28101
283. Standard Work Day	28301
285. Commuter Rail Mediation	28501

AMENDMENTS

2008—Pub. L. 110-432, div. A, title II, §207(b), div. B, title III, §301(b), title IV, §401(b), Oct. 16, 2008, 122 Stat. 4875, 4946, 4956, added items for chapters 225, 244, and 285.

Pub. L. 110-432, div. B, title III, §303(b), Oct. 16, 2008, 122 Stat. 4951, which directed insertion of the item for chapter 227 after the item for chapter 223, was executed by making the insertion after the item for chapter 225 to reflect the probable intent of Congress.

2007—Pub. L. 110-140, title XI, §1112(b), Dec. 19, 2007, 121 Stat. 1759, substituted “Capital Grants for Class II and Class III Railroads” for “Light Density Rail Line Pilot Projects” in item for chapter 223.

1998—Pub. L. 105-178, title VII, §7202(b), June 9, 1998, 112 Stat. 471, added item for chapter 223.

¹ So in original. Probably should be “Federal Grants to States for Highway-Rail Grade Crossing Safety”.

² So in original. Probably should be “State Rail Plans”.

1997—Pub. L. 105-134, title I, §106(a), Dec. 2, 1997, 111 Stat. 2573, struck out item for chapter 245 “Amtrak Commuter”.

1996—Pub. L. 104-287, §5(56)(B), Oct. 11, 1996, 110 Stat. 3394, added item for chapter 283.

1994—Pub. L. 103-440, title I, §103(b)(1), Nov. 2, 1994, 108 Stat. 4618, added part D and item for chapter 261, struck out former part D “MISCELLANEOUS” and former item for chapter 261 “Law Enforcement . . . 26101”, and added part E and item for chapter 281.

PART A—SAFETY

CHAPTER 201—GENERAL

SUBCHAPTER I—GENERAL

Sec.	
20101.	Purpose.
20102.	Definitions.
20103.	General authority.
20104.	Emergency authority.
20105.	State participation.
20106.	National uniformity of regulation. ¹
20107.	Inspection and investigation.
20108.	Research, development, testing, and training.
20109.	Employee protections.
20110.	Effect on employee qualifications and collective bargaining.
20111.	Enforcement by the Secretary of Transportation.
20112.	Enforcement by the Attorney General.
20113.	Enforcement by the States.
20114.	Judicial procedures.
20115.	User fees.
20116.	Rulemaking process.
20117.	Authorization of appropriations.
20118.	Prohibition on public disclosure of railroad safety analysis records.
20119.	Study on use of certain reports and surveys.
20120.	Enforcement report.

SUBCHAPTER II—PARTICULAR ASPECTS OF SAFETY

20131.	Restricted access to rolling equipment.
20132.	Visible markers for rear cars.
20133.	Passenger cars.
20134.	Grade crossings and railroad rights of way.
20135.	Licensing or certification of locomotive operators.
20136.	Automatic train control and related systems.
20137.	Event recorders.
20138.	Tampering with safety and operational monitoring devices.
20139.	Maintenance-of-way operations on railroad bridges.
20140.	Alcohol and controlled substances testing.
20141.	Power brake safety.
20142.	Track safety.
20143.	Locomotive visibility.
20144.	Blue signal protection for on-track vehicles.
20145.	Report on bridge displacement detection systems.
20146.	Institute for Railroad Safety.
20147.	Warning of civil liability.
20148.	Railroad car visibility.
20149.	Coordination with the Department of Labor.
20150.	Positive train control system progress report.
20151.	Railroad trespassing, vandalism, and highway-rail grade crossing warning sign violation prevention strategy.
20152.	Notification of grade crossing problems.
20153.	Audible warnings at highway-rail grade crossings.
20154.	Capital grants for rail line relocation projects.
20155.	Tank cars.

¹ Section catchline amended by Pub. L. 110-53 without corresponding amendment of chapter analysis.

- Sec.
- 20156. Railroad safety risk reduction program.
- 20157. Implementation of positive train control systems.
- 20158. Railroad safety technology grants.
- 20159. Roadway user sight distance at highway-rail grade crossings.
- 20160. National crossing inventory.
- 20161. Fostering introduction of new technology to improve safety at highway-rail grade crossings.
- 20162. Minimum training standards and plans.
- 20163. Certification of train conductors.
- 20164. Development and use of rail safety technology.
- 20165. Limitations on non-Federal alcohol and drug testing by railroad carriers.²
- 20166. Emergency escape breathing apparatus.
- 20167. Railroad safety infrastructure improvement grants.

AMENDMENTS

Pub. L. 110-432, div. A, title I, §§103(b), 104(b), 105(b), 107(b), 109(b), title II, §§203(b), 204(b), 205(b), 208(b), 210(b), title III, §303(b), title IV, §§401(b), 402(e), 406(b), 409(b), 413(b), 418(b), Oct. 16, 2008, 122 Stat. 4856, 4858-4860, 4867, 4869, 4871, 4873, 4876, 4877, 4879, 4883, 4884, 4886, 4887, 4889, 4892, added items 20116 and 20118 to 20120, substituted "Railroad trespassing, vandalism, and highway-rail grade crossing warning sign violation prevention strategy" for "Railroad trespassing and vandalism prevention strategy" in item 20151 and "Notification of grade crossing problems" for "Emergency notification of grade crossing problems" in item 20152, and added items 20156 to 20167.

2005—Pub. L. 109-59, title IX, §§9002(a)(2), 9005(b)(2), Aug. 10, 2005, 119 Stat. 1921, 1925, added items 20154 and 20155.

1995—Pub. L. 104-66, title I, §1121(g)(2), Dec. 21, 1995, 109 Stat. 724, struck out item 20116 "Biennial report".

1994—Pub. L. 103-440, title II, §§206(b), 207(b), 210(b), 211(b), 212(b), 213(b), 214(b), 215(b), 219(b), title III, §§301(b), 302(b), Nov. 2, 1994, 108 Stat. 4621-4624, 4626, 4628, substituted "Biennial" for "Annual" in item 20116 and "cars" for "equipment" in item 20133 and added items 20145 to 20153.

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.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 863.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20101	45:421.	Oct. 16, 1970, Pub. L. 91-458, §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).

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-432, div. A, §1(a), Oct. 16, 2008, 122 Stat. 4848, provided that: "This division [see Tables for clas-

sification] may be cited as the 'Rail Safety Improvement Act of 2008'."

Pub. L. 110-432, div. B, §1(a), Oct. 16, 2008, 122 Stat. 4907, provided that: "This division [enacting chapters 227, 244, and 285 of this title and sections 24105, 24310, 24316, 24702, 24710, 24711, 24910, and 26106 of this title, amending sections 103, 24101, 24102, 24302, 24308, 24706, 24904, 24905, 26101, and 26104 of this title, enacting provisions set out as notes under sections 24101, 24302, 24305, 24307, 24308, 24405, 24702, 24709, 24711, 24902, and 26106 of this title, and amending provisions set out as a note under section 24101 of this title] may be cited as the 'Passenger Rail Investment and Improvement Act of 2008'."

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-134, §1(a), Dec. 2, 1997, 111 Stat. 2570, provided that: "This Act [enacting section 28103 of this title, amending sections 24101, 24102, 24104, 24301 to 24307, 24309, 24312, 24315, 24701, 24706, 24902, and 24904 of this title, section 8G of the Inspector General Act of 1978, Pub. L. 95-452, set out in the Appendix to Title 5, Government Organization and Employees, and section 9101 of Title 31, Money and Finance, repealing sections 24310, 24314, 24501 to 24506, 24702 to 24705, 24707, 24708, and 24903 of this title, and section 1111 of Title 45, Railroads, and enacting provisions set out as notes under this section and sections 24101, 24104, 24301, 24304, 24305, 24307, 24312, 24315, 24501, and 24706 of this title, section 8G of the Appendix to Title 5, and section 172 of Title 26, Internal Revenue Code] may be cited as the 'Amtrak Reform and Accountability Act of 1997'."

SHORT TITLE OF 1994 AMENDMENT

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, renumbering former sections 26101 and 26102 of this title 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, 20116, 20117, 20133, 20142, and 21303 of this title, and enacting provisions set out as a note under section 11504 of this title] may be cited as the 'Federal Railroad Safety Authorization Act of 1994'."

RAILROAD SAFETY STRATEGY

Pub. L. 110-432, div. A, title I, §102, Oct. 16, 2008, 122 Stat. 4852, provided that:

"(a) SAFETY GOALS.—In conjunction with existing federally-required and voluntary strategic planning efforts ongoing at the Department and the Federal Railroad Administration as of the date of enactment of this Act [Oct. 16, 2008], the Secretary shall develop a long-term strategy for improving railroad safety to cover a period of not less than 5 years. The strategy shall include an annual plan and schedule for achieving, at a minimum, the following goals:

- "(1) Reducing the number and rates of accidents, incidents, injuries, and fatalities involving railroads including train collisions, derailments, and human factors.
- "(2) Improving the consistency and effectiveness of enforcement and compliance programs.
- "(3) Improving the identification of high-risk highway-rail grade crossings and strengthening enforcement and other methods to increase grade crossing safety.
- "(4) Improving research efforts to enhance and promote railroad safety and performance.
- "(5) Preventing railroad trespasser accidents, incidents, injuries, and fatalities.
- "(6) Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic failures and other bridge and tunnel failures.

² So in original. Does not conform to section catchline.