

Subsec. (b). Pub. L. 108-168, §2(b), added second sentence and struck out former second sentence which read as follows: "Amounts equal to the amounts expended annually out of the fund are authorized to be appropriated to the emergency fund."

Subsecs. (c), (d). Pub. L. 108-168, §2(c), added subsecs. (c) and (d).

2000—Pub. L. 106-424 amended section catchline and text generally. Prior to amendment, text read as follows:

"(a) IN GENERAL.—There is authorized to be appropriated for the purposes of this chapter \$37,580,000 for fiscal year 1994, \$44,000,000 for fiscal year 1995, \$45,100,000 for fiscal year 1996, \$42,400,00 for fiscal year 1997, \$44,400,000 for fiscal year 1998, and \$46,600,000 for fiscal year 1999. Such sums shall remain available until expended.

"(b) EMERGENCY FUND.—The Board has an emergency fund of \$1,000,000 available for necessary expenses of the Board, not otherwise provided for, for accident investigations. The following amounts may be appropriated to the fund:

"(1) \$1,000,000 to establish the fund.

"(2) amounts equal to amounts expended annually out of the fund.

"(c) AVAILABILITY OF AMOUNTS.—Amounts appropriated under this section remain available until expended."

1996—Subsec. (a). Pub. L. 104-291 struck out "and" after "1995," and inserted ", \$42,400,00 for fiscal year 1997, \$44,400,000 for fiscal year 1998, and \$46,600,000 for fiscal year 1999." before period at end of first sentence.

1994—Subsec. (a). Pub. L. 103-411 reenacted heading without change and amended text generally. Prior to amendment, text read as follows: "Not more than \$38,800,000 may be appropriated to the National Transportation Safety Board for the fiscal year ending September 30, 1993, to carry out this chapter."

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-443, §8(b)(2), Dec. 21, 2006, 120 Stat. 3300, provided that: "The amendments made by paragraph (1) [amending this section] shall take effect on October 1, 2005."

§ 1119. Accident and safety data classification and publication

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this section, the National Transportation Safety Board shall, in consultation and coordination with the Administrator of the Federal Aviation Administration, develop a system for classifying air carrier accident data maintained by the Board.

(b) REQUIREMENTS FOR CLASSIFICATION SYSTEM.—

(1) IN GENERAL.—The system developed under this section shall provide for the classification of accident and safety data in a manner that, in comparison to the system in effect on the date of the enactment of this section, provides for safety-related categories that provide clearer descriptions of accidents associated with air transportation, including a more refined classification of accidents which involve fatalities, injuries, or substantial damage and which are only related to the operation of an aircraft.

(2) PUBLIC COMMENT.—In developing a system of classification under paragraph (1), the Board shall provide adequate opportunity for public review and comment.

(3) FINAL CLASSIFICATION.—After providing for public review and comment, and after consulting with the Administrator, the Board

shall issue final classifications. The Board shall ensure that air travel accident covered under this section is classified in accordance with the final classifications issued under this section for data for calendar year 1997, and for each subsequent calendar year.

(4) PUBLICATION.—The Board shall publish on a periodic basis accident and safety data in accordance with the final classifications issued under paragraph (3).

(5) RECOMMENDATIONS OF THE ADMINISTRATOR.—The Administrator may, from time to time, request the Board to consider revisions (including additions to the classification system developed under this section). The Board shall respond to any request made by the Administrator under this section not later than 90 days after receiving that request.

(c) APPEALS.—

(1) NOTIFICATION OF RIGHTS.—In any case in which an employee of the Board determines that an occurrence associated with the operation of an aircraft constitutes an accident, the employee shall notify the owner or operator of that aircraft of the right to appeal that determination to the Board.

(2) PROCEDURE.—The Board shall establish and publish the procedures for appeals under this subsection.

(3) LIMITATION ON APPLICABILITY.—This subsection shall not apply in the case of an accident that results in a loss of life.

(Added Pub. L. 104-264, title IV, §407(a)(1), Oct. 9, 1996, 110 Stat. 3257; amended Pub. L. 108-168, §5, Dec. 6, 2003, 117 Stat. 2034.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsecs. (a) and (b)(1), is the date of enactment of Pub. L. 104-264, which was approved Oct. 9, 1996.

AMENDMENTS

2003—Subsec. (c). Pub. L. 108-168 added subsec. (c).

EFFECTIVE DATE

Except as otherwise specifically provided, section applicable only to fiscal years beginning after Sept. 30, 1996, and not to be construed as affecting funds made available for a fiscal year ending before Oct. 1, 1996, see section 3 of Pub. L. 104-264, set out as an Effective Date of 1996 Amendment note under section 106 of this title.

SUBCHAPTER III—AUTHORITY

§ 1131. General authority

(a) GENERAL.—(1) The National Transportation Safety Board shall investigate or have investigated (in detail the Board prescribes) and establish the facts, circumstances, and cause or probable cause of—

(A) an aircraft accident the Board has authority to investigate under section 1132 of this title or an aircraft accident involving a public aircraft as defined by section 40102(a)(37)¹ of this title other than an aircraft operated by the Armed Forces or by an intelligence agency of the United States;

(B) a highway accident, including a railroad grade crossing accident, the Board selects in cooperation with a State;

¹ See References in Text note below.