

Stat. 2844; Pub. L. 103-272, §5(m)(12), July 5, 1994, 108 Stat. 1377.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 526, 49:304(a)(3) (last sentence) (related to "Sec. 322(a)"), Feb. 4, 1887, ch. 104, 24 Stat. 379, §204(a)(3) (last sentence) (related to "Sec. 222(a)"); added Aug. 9, 1935, ch. 498, 49 Stat. 546. Row 2: 49:304(a)(3a) (last sentence) (related to "Sec. 322(a)"), Feb. 4, 1887, ch. 104, 24 Stat. 379, §204(a)(3a) (last sentence) (related to "Sec. 222(a)"); added Aug. 3, 1956, ch. 905, §2, 70 Stat. 958. Row 3: 49:1655(f)(2), Oct. 15, 1966, Pub. L. 89-670, §6(f)(2), 80 Stat. 940.

The section is included because 49:1655(f)(2) gave the same administrative powers exercised by the Interstate Commerce Commission under certain sections of title 49 to the Secretary of Transportation to carry out duties transferred to the Secretary by 49:1655(e). See the revision notes for section 501 of the revised title for an explanation of the transfer under 49:1655(f)(2). The powers of the Commission have been codified in subtitle IV of the revised title. The comparable provisions of title 49 that are represented by the section may be found as follows:

Table with 3 columns: Section 526, 49 U.S. Code, Revised Section. Row 1: 526, 322(a), 11914

See the revision notes for the revised section for an explanation of changes made in the text. Changes not accounted for in those revision notes are as follows:

The reference to a certificate, permit, or licence is omitted as not applicable to this chapter. The text of 49:304(a)(3) (last sentence 1st-7th words) and (3a) (last sentence 1st-5th words) is omitted as executed.

AMENDMENTS

1994—Pub. L. 103-272 substituted "a provision of this chapter, subchapter III of chapter 311 (except sections 31138 and 31139), or section 31502 of this title, a person that knowingly and willfully violates any of those provisions or a regulation or order of the Secretary of Transportation under any of those provisions" for "this chapter, section 3102 of this title, or the Motor Carrier Safety Act of 1984, a person that knowingly and willfully violates a provision of this chapter or such section or Act, or a regulation or order of the Secretary of Transportation under this chapter or such section or Act".

1984—Pub. L. 98-554 inserted ", section 3102 of this title, or the Motor Carrier Safety Act of 1984" after "chapter" the first place it appears and inserted "or such section or Act" after "chapter" the second and third places it appears.

[CHAPTER 7—TRANSFERRED]

CODIFICATION

Former chapter 7 of this title was renumbered chapter 13 of this title and transferred to follow chapter 11 of this title. Sections 701 to 706, 721 to 724, and 726 were renumbered sections 1301 to 1306 and 1321 to 1325, respectively, and former sections 725 and 727 were repealed.

SUBCHAPTER I—ESTABLISHMENT

[§§ 701 to 706. Renumbered §§ 1301 to 1306]

SUBCHAPTER II—ADMINISTRATIVE

[§§ 721 to 724. Renumbered §§ 1321 to 1324]

[§ 725. Repealed. Pub. L. 114-110, §3(a)(4), Dec. 18, 2015, 129 Stat. 2228]

Section, Pub. L. 104-88, title II, §201(a), Dec. 29, 1995, 109 Stat. 937, required Secretary of Transportation to provide administrative support for the Board.

[§ 726. Renumbered § 1325]

[§ 727. Repealed. Pub. L. 114-110, §3(a)(4), Dec. 18, 2015, 129 Stat. 2228]

Section, Pub. L. 104-88, title II, §201(a), Dec. 29, 1995, 109 Stat. 940, related to definitions for this chapter.

SUBTITLE II—OTHER GOVERNMENT AGENCIES

Chapter 11. National Transportation Safety Board ..... 1101
13. Surface Transportation Board<sup>1</sup> ..... 1301

CHAPTER 11—NATIONAL TRANSPORTATION SAFETY BOARD

SUBCHAPTER I—GENERAL

Sec. 1101. Definitions.

SUBCHAPTER II—ORGANIZATION AND ADMINISTRATIVE

- 1111. General organization.
1112. Special boards of inquiry on air transportation safety.
1113. Administrative.
1114. Disclosure, availability, and use of information.
1115. Training.
1116. Reports, studies, and retrospective reviews.
1117.<sup>1</sup> Methodology.
1117.<sup>2</sup> Annual report.
1118. Authorization of appropriations.
1119. Accident and safety data classification and publication.

SUBCHAPTER III—AUTHORITY

- 1131. General authority.
1132. Civil aircraft accident investigations.
1133. Review of other agency action.
1134. Inspections and autopsies.
1135. Secretary of Transportation's responses to safety recommendations.
1136. Assistance to families of passengers involved in aircraft accidents.
1137. Authority of the Inspector General.
1138. Evaluation and audit of National Transportation Safety Board.
1139. Assistance to families of passengers involved in rail passenger accidents.
1140. Information for families of individuals involved in accidents.

SUBCHAPTER IV—ENFORCEMENT AND PENALTIES

1151. Aviation enforcement.

<sup>1</sup>Editorially supplied. Chapter 7 renumbered chapter 13 and transferred to this subtitle by Pub. L. 114-110 without corresponding amendment of subtitle analysis.

<sup>2</sup>So in original. Probably should be "1117."

<sup>3</sup>So in original. New item 1117 added without striking out existing item 1117.

- Sec.
- 1152. Joinder and intervention in aviation proceedings.
- 1153. Judicial review.
- 1154. Discovery and use of cockpit and surface vehicle recordings and transcripts.
- 1155. Aviation penalties.

AMENDMENTS

2018—Pub. L. 115–254, div. C, §§1107(b)(2), 1109(e)(2), 1111(b), 1113(a), Oct. 5, 2018, 132 Stat. 3433, 3435, 3436, 3438, added items 117 and 1140 and substituted “Reports, studies, and retrospective reviews” for “Reports and studies” in item 1116 and “Board.” for “Board” in item 1138.

2008—Pub. L. 110–432, div. A, title V, §501(b), Oct. 16, 2008, 122 Stat. 4897, added item 1139.

2006—Pub. L. 109–443, §5(b), Dec. 21, 2006, 120 Stat. 3300, added item 1138.

2000—Pub. L. 106–424, §§5(c)(2), 12(b), Nov. 1, 2000, 114 Stat. 1885, 1887, added item 1137 and substituted “and surface vehicle recordings and transcripts” for “voice and other material” in item 1154.

1996—Pub. L. 104–264, title IV, §407(a)(2), title VII, §702(a)(2), Oct. 9, 1996, 110 Stat. 3258, 3267, added items 1119 and 1136.

1994—Pub. L. 103–272, §1(c), (d), July 5, 1994, 108 Stat. 745, added subtitle II (comprised of chapter 11, §§1101–1155) and struck out former subtitle II, except that chapter 31 (comprised of §§3101–3104) of subtitle II was redesignated and restated as chapter 315 (comprised of §§31501–31504) of subtitle VI, as enacted by Pub. L. 103–272, §1(e).

SUBCHAPTER I—GENERAL

§ 1101. Definitions

Section 2101(23) of title 46 and section 40102(a) of this title apply to this chapter. In this chapter, the term “accident” includes damage to or destruction of vehicles in surface or air transportation or pipelines, regardless of whether the initiating event is accidental or otherwise.

(Pub. L. 103–272, §1(d), July 5, 1994, 108 Stat. 746; Pub. L. 106–424, §2, Nov. 1, 2000, 114 Stat. 1883; Pub. L. 115–232, div. C, title XXXV, §3541(b)(17), Aug. 13, 2018, 132 Stat. 2324.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1101 .....	(no source)	

A number of the source provisions of the chapter are taken from 49 App.:ch. 20. The text of 49 App.:ch. 20 contains general definitions, some of which are used in those source provisions.

This section is included to ensure that the identical definitions that are relevant are used without repeating them. The source provisions for the definitions are found in the revision note for section 40102(a) of the revised title.

AMENDMENTS

2018—Pub. L. 115–232 substituted “Section 2101(23)” for “Section 2101(17a)”.

2000—Pub. L. 106–424 amended section catchline and text generally. Prior to amendment, text read as follows: “Section 40102(a) of this title applies to this chapter.”

SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114–110, §1(a), Dec. 18, 2015, 129 Stat. 2228, provided that: “This Act [see Tables for classification] may be cited as the ‘Surface Transportation Board Reauthorization Act of 2015’.”

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109–443, §1(a), Dec. 21, 2006, 120 Stat. 3297, provided that: “This Act [enacting section 1138 of this title, amending sections 1111, 1113, 1117, 1118, 1131, 1135, and 1137 of this title, enacting provisions set out as notes under sections 1111 and 1118 of this title, and amending provisions set out as a note under section 1113 of this title] may be cited as the ‘National Transportation Safety Board Reauthorization Act of 2006’.”

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108–168, §1, Dec. 6, 2003, 117 Stat. 2032, provided that: “This Act [enacting section 354 of this title, amending sections 354, 1118, 1119, 1131, 1135, and 1136 of this title, and enacting provisions set out as notes under sections 1113, 1131, and 1135 of this title] may be cited as the ‘National Transportation Safety Board Reauthorization Act of 2003’.”

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106–424, §1(a), Nov. 1, 2000, 114 Stat. 1883, provided that: “This Act [enacting section 1137 of this title, amending this section and sections 1111, 1113 to 1115, 1118, 1131, 1154, 44721, and 46301 of this title, and enacting provisions set out as notes under sections 1111, 1113, 1131, 44703, and 44721 of this title] may be cited as the ‘National Transportation Safety Board Amendments Act of 2000’.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104–291, title I, §101, Oct. 11, 1996, 110 Stat. 3452, provided that: “This title [amending sections 1114, 1115, and 1118 of this title] may be cited as the ‘National Transportation Safety Board Amendments of 1996’.”

DEFINITIONS OF TERMS IN DIV. C OF PUB. L. 115–254

Pub. L. 115–254, div. C, §1102, Oct. 5, 2018, 132 Stat. 3429, provided that: “In this division [enacting section 1140 of this title, amending sections 1111, 1113, 1114, 1116 to 1118, 1131, 1134, 1136, 1138, 1139, 1154, 41113, and 41313 of this title, and enacting provisions set out as notes under sections 1116, 1119, and 40101 of this title], the following definitions apply:

“(1) BOARD.—The term ‘Board’ means the National Transportation Safety Board.

“(2) CHAIRMAN.—The term ‘Chairman’ means the Chairman of the National Transportation Safety Board.

“(3) MOST WANTED LIST.—The term ‘Most Wanted List’ means the Board publication entitled ‘Most Wanted List’.”

SUBCHAPTER II—ORGANIZATION AND ADMINISTRATIVE

§ 1111. General organization

(a) ORGANIZATION.—The National Transportation Safety Board is an independent establishment of the United States Government.

(b) APPOINTMENT OF MEMBERS.—The Board is composed of 5 members appointed by the President, by and with the advice and consent of the Senate. Not more than 3 members may be appointed from the same political party. At least 3 members shall be appointed on the basis of technical qualification, professional standing, and demonstrated knowledge in accident reconstruction, safety engineering, human factors, transportation safety, or transportation regulation.

(c) TERMS OF OFFICE AND REMOVAL.—The term of office of each member is 5 years. An individual appointed to fill a vacancy occurring before the expiration of the term for which the prede-