

image recording device installed by the railroad carrier.

(g) **PRESERVATION OF DATA.**—Each railroad carrier subject to the requirements of subsection (a) shall preserve recording device data for 1 year after the date of a reportable accident or incident.

(h) **INFORMATION PROTECTIONS.**—The Secretary may not disclose publicly any part of an in-cab audio or image recording or transcript of oral communications by or among train employees or other operating employees responsible for the movement and direction of the train, or between such operating employees and company communication centers, related to an accident or incident investigated by the Secretary. The Secretary may make public any part of a transcript or any written depiction of visual information that the Secretary determines is relevant to the accident at the time a majority of the other factual reports on the accident or incident are released to the public.

(i) **PROHIBITED USE.**—An in-cab audio or image recording obtained by a railroad carrier under this section may not be used to retaliate against an employee.

(j) **SAVINGS CLAUSE.**—Nothing in this section may be construed as requiring a railroad carrier to cease or restrict operations upon a technical failure of an inward- or outward-facing image recording device or in-cab audio device. Such railroad carrier shall repair or replace the failed inward- or outward-facing image recording device as soon as practicable.

(Added Pub. L. 114-94, div. A, title XI, § 11411(a), Dec. 4, 2015, 129 Stat. 1686.)

REFERENCES IN TEXT

The date of enactment of the Passenger Rail Reform and Investment Act of 2015, referred to in subsec. (a), is the date of enactment of title XI of div. A of Pub. L. 114-94, which was approved Dec. 4, 2015.

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

**CHAPTER 203—SAFETY APPLIANCES**

Sec.	
20301.	Definition and nonapplication.
20302.	General requirements.
20303.	Moving defective and insecure vehicles needing repairs.
20304.	Assumption of risk by employees.
20305.	Inspection of mail cars.
20306.	Exemption for technological improvements.

**§ 20301. Definition and nonapplication**

(a) **DEFINITION.**—In this chapter, “vehicle” means a car, locomotive, tender, or similar vehicle.

(b) **NONAPPLICATION.**—This chapter does not apply to the following:

- (1) a train of 4-wheel coal cars.
- (2) a train of 8-wheel standard logging cars if the height of each car from the top of the rail to the center of the coupling is not more than 25 inches.
- (3) a locomotive used in hauling a train referred to in clause (2) of this subsection when

the locomotive and cars of the train are used only to transport logs.

(4) a car, locomotive, or train used on a street railway.

(Pub. L. 103-272, § 1(e), July 5, 1994, 108 Stat. 881; Pub. L. 104-287, § 5(52), Oct. 11, 1996, 110 Stat. 3393.)

HISTORICAL AND REVISION NOTES  
PUB. L. 103-272

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20301(a) .....	45:8 (“trains, locomotives, tenders, cars, and similar vehicles”).	
20301(b) .....	45:9 (3d sentence). 45:6 (1st sentence proviso).  45:8 (words after 16th comma).	Mar. 2, 1893, ch. 196, § 6 (1st sentence proviso), 27 Stat. 532; restated Apr. 1, 1896, ch. 87, 29 Stat. 85. Mar. 2, 1903, ch. 976, § 1 (words after 23d comma), 32 Stat. 943.

Subsection (a) is added to avoid repeating the substance of the definition throughout this chapter.

In subsection (b), the words before clause (1) are substituted for “*Provided, That nothing in sections 1 to 7 of this title shall apply to*” in 45:6 because 45:9, 11, and 16 provide that 45:9 and 11-16 apply to the same vehicles and trains as 45:1-7 apply to. In clause (1), the word “coal” is added for clarity because of the decision of the Supreme Court in *Baltimore & Ohio Railway Co. v. Jackson*, 353 U.S. 325, 333 (1957) and the legislative history of 45:6 (proviso). See 24 Cong. Rec. 1477 (1893). The text of 45:8 (words after last comma) is omitted as unnecessary because of the definition of “railroad” in section 20102 of the revised title.

PUB. L. 104-287

This amends 49:20301(b) to clarify the restatement of 45:8 by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 881).

AMENDMENTS

1996—Subsec. (b)(4). Pub. L. 104-287 added par. (4).

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-287 effective July 5, 1994, see section 8(1) of Pub. L. 104-287, set out as a note under section 5303 of this title.

**§ 20302. General requirements**

(a) **GENERAL.**—Except as provided in subsection (c) of this section and section 20303 of this title, a railroad carrier may use or allow to be used on any of its railroad lines—

- (1) a vehicle only if it is equipped with—
  - (A) couplers coupling automatically by impact, and capable of being uncoupled, without the necessity of individuals going between the ends of the vehicles;
  - (B) secure sill steps and efficient hand brakes; and
  - (C) secure ladders and running boards when required by the Secretary of Transportation, and, if ladders are required, secure handholds or grab irons on its roof at the top of each ladder;
- (2) except as otherwise ordered by the Secretary, a vehicle only if it is equipped with secure grab irons or handholds on its ends and sides for greater security to individuals in coupling and uncoupling vehicles;
- (3) a vehicle only if it complies with the standard height of drawbars required by regulations prescribed by the Secretary;