

line of railroad” are omitted as surplus since this chapter only applies in the case of vehicles used by railroad carriers on their railroad lines. The word “nevertheless” is added for clarity. The words “when necessary to make repairs” are substituted for “if any such movement is necessary to make such repairs and such repairs cannot be made except at any such repair point” to eliminate unnecessary words. The words “without a penalty being imposed under section 21302 of this title” are substituted for “without liability for the penalties imposed by this section or section 6 of this title” because of the restatement.

In subsection (b), the words “A vehicle . . . may be moved under this section . . . only when” are substituted for “and nothing in this proviso shall be construed to permit the hauling of defective cars . . . unless” for clarity and to eliminate unnecessary words.

In subsection (c), the word “hauling” is omitted for consistency in this section. The word “proceeding” is substituted for “remedial action” for consistency in the revised title and to ensure that administrative, as well as court proceedings, are included. The words “to recover damages” are added for clarity. The words “arising from” are substituted for “caused . . . by reason of or in connection with” to eliminate unnecessary words.

§ 20304. Assumption of risk by employees

An employee of a railroad carrier injured by a vehicle or train used in violation of section 20302(a)(1)(A), (2), (4), or (5)(A) of this title does not assume the risk of injury resulting from the violation, even if the employee continues to be employed by the carrier after learning of the violation.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 883.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 20304, 45:7, Mar. 2, 1893, ch. 196, §8, 27 Stat. 532; June 22, 1988, Pub. L. 100-342, §13(1)(H), 102 Stat. 631. Row 2: 45:8 (words before 16th comma), Mar. 2, 1903, ch. 976, §1 (words before 23d comma), 32 Stat. 943; June 22, 1988, Pub. L. 100-342, §13(2)(A), 102 Stat. 631.

The words “after learning of the violation” are substituted for “after the unlawful use of such locomotive, car, or train had been brought to his knowledge” in 45:7 for clarity.

§ 20305. Inspection of mail cars

The Secretary of Transportation shall inspect the construction, adaptability, design, and condition of mail cars used on railroads in the United States. The Secretary shall make a report on the inspection and submit a copy of the report to the United States Postal Service.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 883.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 20305, 45:37, May 27, 1908, ch. 200, §1 (6th par. last sentence under heading “Interstate Commerce Commission”), 35 Stat. 325. Row 2: 49 App.:1655(e)(1)(I), (J), Mar. 4, 1909, ch. 299, §1 (6th par. last sentence under heading “Interstate Commerce Commission”), 35 Stat. 965. Row 3: Oct. 15, 1966, Pub. L. 89-670, §6(e)(1)(I), (J), 80 Stat. 939.

The words “United States Postal Service” are substituted for “Postmaster General” because of sections 4(a) and 5(e) of the Postal Reorganization Act (Public Law 91–375, 84 Stat. 773, 775).

§ 20306. Exemption for technological improvements

(a) GENERAL.—Subject to subsection (b) of this section, the Secretary of Transportation may exempt from the requirements of this chapter railroad equipment or equipment that will be operated on rails, when those requirements preclude the development or implementation of more efficient railroad transportation equipment or other transportation innovations under existing law.

(b) CONDITIONS FOR EXEMPTION.—The Secretary may grant an exemption under subsection (a) of this section only on the basis of—

- (1) findings based on evidence developed at a hearing; or
(2) an agreement between national railroad labor representatives and the developer of the new equipment or technology.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 883.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 20306, 45:1013, May 30, 1980, Pub. L. 96-254, §117, 94 Stat. 406.

In subsection (a), the words “Notwithstanding any other provision of law” and “the mandatory requirements of” are omitted as surplus. The words “existing law” are substituted for “the existing statutes” for consistency in the revised title.

In subsection (b), the words before clause (1) are added because of the restatement. Clause (1) is substituted for “after a hearing and consistent with findings based upon evidence developed therein” to eliminate unnecessary words. In clause (2), the words “an agreement” are substituted for “expressions of agreement” to eliminate unnecessary words.

CHAPTER 205—SIGNAL SYSTEMS

- 20501. Definition.
20502. Requirements for installation and use.
20503. Amending regulations and changing requirements.
20504. Inspection, testing, and investigation.
20505. Reports of malfunctions and accidents.

§ 20501. Definition

In this chapter, “signal system” means a block signal system, an interlocking, automatic train stop, train control, or cab-signal device, or a similar appliance, method, device, or system intended to promote safety in railroad operations.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 883.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 20501, (no source).

This section is added to eliminate the unnecessary repetition of the words used in the definition. The definition is derived from 49 App.:26(b)–(f).