

accurate a count of the number of passengers onboard the train as possible.

“(c) REPORT.—Not later than 1 year after the date of the enactment of this Act [Oct. 16, 2008], the Secretary shall transmit a report to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation containing the model plan and recommendations developed by the task force under subsection (b).”

§ 1140. Information for families of individuals involved in accidents

In the course of an investigation of an accident described in section 1131(a)(1), except an aircraft accident described in section 1136 or a rail passenger accident described in section 1139, the Board may, to the maximum extent practicable, ensure that the families of individuals involved in the accident, and other individuals the Board deems appropriate—

- (1) are informed as to the roles, with respect to the accident and the post-accident activities, of the Board;
- (2) are briefed, before any public briefing, about the accident, its causes, and any other findings from the investigation; and
- (3) are individually informed of and allowed to attend any public hearings and meetings of the Board about the accident.

(Added Pub. L. 115–254, div. C, §1109(e)(1), Oct. 5, 2018, 132 Stat. 3435.)

SUBCHAPTER IV—ENFORCEMENT AND PENALTIES

§ 1151. Aviation enforcement

(a) CIVIL ACTIONS BY BOARD.—The National Transportation Safety Board may bring a civil action in a district court of the United States against a person to enforce section 1132, 1134(b) or (f)(1) (related to an aircraft accident), 1136(g)(2), or 1155(a) of this title or a regulation prescribed or order issued under any of those sections. An action under this subsection may be brought in the judicial district in which the person does business or the violation occurred.

(b) CIVIL ACTIONS BY ATTORNEY GENERAL.—On request of the Board, the Attorney General may bring a civil action in an appropriate court—

- (1) to enforce section 1132, 1134(b) or (f)(1) (related to an aircraft accident), 1136(g)(2), or 1155(a) of this title or a regulation prescribed or order issued under any of those sections; and
- (2) to prosecute a person violating those sections or a regulation prescribed or order issued under any of those sections.

(c) PARTICIPATION OF BOARD.—On request of the Attorney General, the Board may participate in a civil action to enforce section 1132, 1134(b) or (f)(1) (related to an aircraft accident), 1136(g)(2), or 1155(a) of this title.

(Pub. L. 103–272, §1(d), July 5, 1994, 108 Stat. 756; Pub. L. 106–181, title IV, §401(a)(2), Apr. 5, 2000, 114 Stat. 129.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--|---|
| 1151(a) | 49 App.:1487(a) (related to CAB). 49 App.:1655(d) (1st sentence). 49 App.:1903(a)(1)(A). | Aug. 23, 1958, Pub. L. 85–726, §§1007 (related to CAB), 1008 (related to CAB), 72 Stat. 796. Oct. 15, 1966, Pub. L. 89–670, §6(d) (1st sentence), 80 Stat. 938. Jan. 3, 1975, Pub. L. 93–633, §304(a)(1)(A), 88 Stat. 2168. |
| 1151(b) | 49 App.:1487(b) (related to CAB). 49 App.:1655(d) (1st sentence). 49 App.:1903(a)(1)(A). | |
| 1151(c) | 49 App.:1488 (related to CAB). 49 App.:1655(d) (1st sentence). 49 App.:1903(a)(1)(A). | |

In this section, the words “section 1132, 1134(b) or (f)(1) (related to an aircraft accident), or 1155(a) of this title” are substituted for “issued under this chapter” and “provisions of this chapter” because those sections restate the relevant provisions of 49 App.:ch. 20 carried out by the National Transportation Safety Board.

In subsections (a) and (b), the word “rule” is omitted as being synonymous with “regulation”. The word “requirement” is omitted as being included in “order”. The words “or any term, condition, or limitation of any certificate or permit” are omitted because the National Transportation Safety Board does not have authority to issue certificates or permits.

In subsection (a), the words “their duly authorized agents” are omitted as surplus. The words “may bring a civil action” are substituted for “may apply” in 49 App.:1487(a) for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “An action under this subsection may be brought in the judicial district in which” are substituted for “for any district wherein” for clarity. The text of 49 App.:1487(a) (words after semicolon) is omitted as unnecessary because of rule 81(b) of the Federal Rules of Civil Procedure (28 App. U.S.C.).

In subsection (b), before clause (1), the words “Attorney General” are substituted for “any district attorney of the United States” in 49 App.:1487(b) because of 28:509. The words “to whom the Board or Secretary of Transportation may apply” are omitted as surplus. The words “may bring a civil action” are substituted for “is authorized to institute . . . all necessary proceedings” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.). The words “under the direction of the Attorney General” are omitted as unnecessary because of 28:516. The text of 49 App.:1487(b) (words after last comma) is omitted as obsolete.

In subsection (c), the words “civil action” are substituted for “proceeding in court” for consistency with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.).

AMENDMENTS

2000—Pub. L. 106–181 inserted “1136(g)(2),” before “or 1155(a)” in subssecs. (a), (b)(1), and (c).

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106–181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106–181, set out as a note under section 106 of this title.

§ 1152. Joinder and intervention in aviation proceedings

A person interested in or affected by a matter under consideration in a proceeding or a civil action to enforce section 1132, 1134(b) or (f)(1) (related to an aircraft accident), or 1155(a) of this title, or a regulation prescribed or order is-