

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11910 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

§ 16104. Disobedience to subpoenas

Whoever does not obey a subpoena or requirement of the Board to appear and testify or produce records shall be fined under title 18 or imprisoned not more than 1 year, or both.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11913 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

§ 16105. General criminal penalty when specific penalty not provided

When another criminal penalty is not provided under this chapter, a pipeline carrier providing transportation subject to this part, and when that carrier is a corporation, a director or officer of the corporation, or a receiver, trustee, lessee, or person acting for or employed by the corporation that, alone or with another person, willfully violates this part or an order prescribed under this part, shall be fined under title 18 or imprisoned not more than 2 years, or both. A separate violation occurs each day a violation of this part continues.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11914 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

§ 16106. Punishment of corporation for violations committed by certain individuals

An act or omission that would be a violation of this subtitle if committed by a director, officer, receiver, trustee, lessee, agent, or employee of a pipeline carrier providing transportation or service subject to this part that is a corporation is also a violation of this part by that corporation. The penalties of this chapter apply to that violation. When acting in the scope of their employment, the actions and omissions of individuals acting for or employed by that carrier are considered to be the actions and omissions of that carrier as well as that individual.

(Added Pub. L. 104-88, title I, §106(a), Dec. 29, 1995, 109 Stat. 931.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 11915 of this title prior to the general amendment of this subtitle by Pub. L. 104-88, §102(a).

EFFECTIVE DATE

Section effective Jan. 1, 1996, except as otherwise provided in Pub. L. 104-88, see section 2 of Pub. L. 104-88, set out as a note under section 1301 of this title.

SUBTITLE V—RAIL PROGRAMS

PART A—SAFETY

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205. Signal Systems	20501
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223. Capital Grants for Class II and Class III Railroads	22301
[225. Repealed.]	
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241. General	24101
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[245. Repealed.]	
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281. Law Enforcement	28101
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AMENDMENTS

2019—Pub. L. 115-420, §7(a)(4), Jan. 3, 2019, 132 Stat. 5445, added item for chapter 229 and struck out item for chapter 244 “Rail improvement grants”.

2015—Pub. L. 114-94, div. A, title XI, §§11301(c)(3), 11303(b)(2), 11503(c), Dec. 4, 2015, 129 Stat. 1648, 1654, 1692, struck out item for chapter 225 “Federal grants to States for highway-rail grade crossing safety”, added item for chapter 242, and substituted “Rail improvement grants” for “Intercity Passenger Rail Service Corridor Capital Assistance” in item for chapter 244.

2008—Pub. L. 110-432, div. A, title II, §207(b), div. B, title III, §301(b), title IV, §401(b), Oct. 16, 2008, 122 Stat. 4875, 4946, 4956, added items for chapters 225, 244, and 285.

Pub. L. 110-432, div. B, title III, §303(b), Oct. 16, 2008, 122 Stat. 4951, which directed insertion of the item for chapter 227 after the item for chapter 223, was executed by making the insertion after the item for chapter 225 to reflect the probable intent of Congress.

2007—Pub. L. 110-140, title XI, §1112(b), Dec. 19, 2007, 121 Stat. 1759, substituted “Capital Grants for Class II and Class III Railroads” for “Light Density Rail Line Pilot Projects” in item for chapter 223.

¹ So in original. Probably should be “State Rail Plans”.

² So in original. Probably should be “Project Delivery”.

1998—Pub. L. 105-178, title VII, §7202(b), June 9, 1998, 112 Stat. 471, added item for chapter 223.
 1997—Pub. L. 105-134, title I, §106(a), Dec. 2, 1997, 111 Stat. 2573, struck out item for chapter 245 “Amtrak Commuter”.
 1996—Pub. L. 104-287, §5(56)(B), Oct. 11, 1996, 110 Stat. 3394, added item for chapter 283.
 1994—Pub. L. 103-440, title I, §103(b)(1), Nov. 2, 1994, 108 Stat. 4618, added part D and item for chapter 261, struck out former part D “MISCELLANEOUS” and former item for chapter 261 “Law Enforcement . . . 26101”, and added part E and item for chapter 281.

PART A—SAFETY
 CHAPTER 201—GENERAL
 SUBCHAPTER I—GENERAL

- Sec.
- 20101. Purpose.
- 20102. Definitions.
- 20103. General authority.
- 20104. Emergency authority.
- 20105. State participation.
- 20106. National uniformity of regulation.¹
- 20107. Inspection and investigation.
- 20108. Research, development, testing, and training.
- 20109. Employee protections.
- 20110. Effect on employee qualifications and collective bargaining.
- 20111. Enforcement by the Secretary of Transportation.
- 20112. Enforcement by the Attorney General.
- 20113. Enforcement by the States.
- 20114. Judicial procedures.
- 20115. User fees.
- 20116. Rulemaking process.
- 20117. Authorization of appropriations.
- 20118. Prohibition on public disclosure of railroad safety analysis records.
- 20119. Study on use of certain reports and surveys.
- 20120. Enforcement report.
- 20121. Repair and replacement of damaged track inspection equipment.

SUBCHAPTER II—PARTICULAR ASPECTS OF SAFETY

- 20131. Restricted access to rolling equipment.
- 20132. Visible markers for rear cars.
- 20133. Passenger cars.
- 20134. Grade crossings and railroad rights of way.
- 20135. Licensing or certification of locomotive operators.
- 20136. Automatic train control and related systems.
- 20137. Event recorders.
- 20138. Tampering with safety and operational monitoring devices.
- 20139. Maintenance-of-way operations on railroad bridges.
- 20140. Alcohol and controlled substances testing.
- 20141. Power brake safety.
- 20142. Track safety.
- 20143. Locomotive visibility.
- 20144. Blue signal protection for on-track vehicles.
- 20145. Report on bridge displacement detection systems.
- 20146. Institute for Railroad Safety.
- 20147. Warning of civil liability.
- 20148. Railroad car visibility.
- 20149. Coordination with the Department of Labor.
- 20150. Positive train control system progress report.
- 20151. Railroad trespassing, vandalism, and highway-rail grade crossing warning sign violation prevention strategy.
- 20152. Notification of grade crossing problems.
- 20153. Audible warnings at highway-rail grade crossings.

¹Section catchline amended by Pub. L. 110-53 without corresponding amendment of chapter analysis.

- Sec.
- [20154. Repealed.]
- 20155. Tank cars.
- 20156. Railroad safety risk reduction program.
- 20157. Implementation of positive train control systems.
- 20158. Railroad safety technology grants.
- 20159. Roadway user sight distance at highway-rail grade crossings.
- 20160. National crossing inventory.
- 20161. Fostering introduction of new technology to improve safety at highway-rail grade crossings.
- 20162. Minimum training standards and plans.
- 20163. Certification of train conductors.
- 20164. Development and use of rail safety technology.
- 20165. Limitations on non-Federal alcohol and drug testing by railroad carriers.²
- 20166. Emergency escape breathing apparatus.
- [20167. Repealed.]
- 20168. Installation of audio and image recording devices.

AMENDMENTS

2015—Pub. L. 114-94, div. A, title XI, §§11301(c)(1), 11411(b), 11413(b), Dec. 4, 2015, 129 Stat. 1648, 1687, 1689, added items 20121 and 20168 and struck out items 20154 “Capital grants for rail line relocation projects” and 20167 “Railroad safety infrastructure improvement grants”. Items 20121 and 20168 were added to the analysis for this chapter to reflect the probable intent of Congress, notwithstanding directory language adding those items to the analyses for subchapters I and II of this chapter, respectively.

2008—Pub. L. 110-432, div. A, title I, §§103(b), 104(b), 105(b), 107(b), 109(b), title II, §§203(b), 204(b), 205(b), 208(b), 210(b), title III, §303(b), title IV, §§401(b), 402(e), 406(b), 409(b), 413(b), 418(b), Oct. 16, 2008, 122 Stat. 4856, 4858-4860, 4867, 4869, 4871, 4873, 4876, 4877, 4879, 4883, 4884, 4886, 4887, 4889, 4892, added items 20116 and 20118 to 20120, substituted “Railroad trespassing, vandalism, and highway-rail grade crossing warning sign violation prevention strategy” for “Railroad trespassing and vandalism prevention strategy” in item 20151 and “Notification of grade crossing problems” for “Emergency notification of grade crossing problems” in item 20152, and added items 20156 to 20167.

2005—Pub. L. 109-59, title IX, §§9002(a)(2), 9005(b)(2), Aug. 10, 2005, 119 Stat. 1921, 1925, added items 20154 and 20155.

1995—Pub. L. 104-66, title I, §1121(g)(2), Dec. 21, 1995, 109 Stat. 724, struck out item 20116 “Biennial report”.

1994—Pub. L. 103-440, title II, §§206(b), 207(b), 210(b), 211(b), 212(b), 213(b), 214(b), 215(b), 219(b), title III, §§301(b), 302(b), Nov. 2, 1994, 108 Stat. 4621-4624, 4626, 4628, substituted “Biennial” for “Annual” in item 20116 and “cars” for “equipment” in item 20133 and added items 20145 to 20153.

SUBCHAPTER I—GENERAL

§ 20101. Purpose

The purpose of this chapter is to promote safety in every area of railroad operations and reduce railroad-related accidents and incidents.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 863.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20101	45:421.	Oct. 16, 1970, Pub. L. 91-458, §101, 84 Stat. 971.

The words “The Congress declares that” are omitted as surplus. The words “accidents and incidents” are

²So in original. Does not conform to section catchline.