

revised title. The text of 45:36 (last sentence) is omitted because of 49:323.

§ 20505. Reports of malfunctions and accidents

In the way and to the extent required by the Secretary of Transportation, a railroad carrier shall report to the Secretary a failure of a signal system to function as intended. If the failure results in an accident or incident causing injury to an individual or property that is required to be reported under regulations prescribed by the Secretary, the carrier owning or maintaining the signal system shall report to the Secretary immediately in writing the fact of the accident or incident.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 884.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 20505 details legislative history from 1920 to 1994.

The words "signal system" are substituted for "such systems, devices, or appliances" because of the definition of "signal system" in section 20501 of the revised title. The word "indicate" is omitted as being included in "function". The words "or incident" are added for consistency in this part.

CHAPTER 207—LOCOMOTIVES

- Sec. 20701. Requirements for use.
20702. Inspections, repairs, and inspection and repair reports.
20703. Accident reports and investigations.

§ 20701. Requirements for use

A railroad carrier may use or allow to be used a locomotive or tender on its railroad line only when the locomotive or tender and its parts and appurtenances—

- (1) are in proper condition and safe to operate without unnecessary danger of personal injury;
(2) have been inspected as required under this chapter and regulations prescribed by the Secretary of Transportation under this chapter; and
(3) can withstand every test prescribed by the Secretary under this chapter.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 885.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 20701 details legislative history from 1911 to 1994.

HISTORICAL AND REVISION NOTES—CONTINUED

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 45:30 details legislative history from 1915 to 1966.

In this section, before clause (1), the words "locomotive or tender . . . locomotive or tender and its parts and appurtenances" are substituted for "locomotive . . . locomotive, its boiler, tender, and all parts and appurtenances thereof" in 45:23 and "the provision of sections 22 to 29 . . . of this title as to the equipment of locomotives shall apply to and include the entire locomotive and tender and all their parts with the same force and effect as it applies to locomotive boilers and their appurtenances" in 45:30 for clarity and because of the restatement.

§ 20702. Inspections, repairs, and inspection and repair reports

(a) GENERAL.—The Secretary of Transportation shall—

- (1) become familiar, so far as practicable, with the condition of every locomotive and tender and its parts and appurtenances;
(2) inspect every locomotive and tender and its parts and appurtenances as necessary to carry out this chapter, but not necessarily at stated times or at regular intervals; and
(3) ensure that every railroad carrier makes inspections of locomotives and tenders and their parts and appurtenances as required by regulations prescribed by the Secretary and repairs every defect that is disclosed by an inspection before a defective locomotive, tender, part, or appurtenance is used again.

(b) NONCOMPLYING LOCOMOTIVES, TENDERS, AND PARTS.—(1) When the Secretary finds that a locomotive, tender, or locomotive or tender part or appurtenance owned or operated by a railroad carrier does not comply with this chapter or a regulation prescribed under this chapter, the Secretary shall give the carrier written notice describing any defect resulting in noncompliance. Not later than 5 days after receiving the notice of noncompliance, the carrier may submit a written request for a reinspection. On receiving the request, the Secretary shall provide for the reinspection by an officer or employee of the Department of Transportation who did not make the original inspection.

(2) Immediately after the reinspection is completed, the Secretary shall give written notice