§ 840.1 Applicability.

This part contains the Safety Board’s accident notification requirements, and its authority for inspection, examination, and testing of physical evidence, and describes the exercise of the Safety Board’s priority accorded to its activities when investigating railroad accidents.

[47 FR 49408, Nov. 1, 1982]

§ 840.2 Definitions.

As used in this part, the following words or phrases are defined as follows:

(a) Railroad means any system of surface transportation of persons or property over rails. It includes, but is not limited to, line-haul freight and passenger-carrying railroads, and rapid transit, commuter, scenic, subway, and elevated railways.

(b) Accident means any collision, derailment, or explosion involving railroad trains, locomotives, and cars; or any other loss-causing event involving the operation of such railroad equipment that results in a fatality to a passenger or employee, or the emergency evacuation of persons.

(c) Joint operations means rail operations conducted on a track used jointly or in common by two or more railroads subject to this part, or operation of a train, locomotive, or car by one railroad over the track of another railroad.

(d) Fatality means the death of a person either at the time an accident occurs or within 24 hours thereafter.

[53 FR 49152, Dec. 6, 1988]

§ 840.3 Notification of railroad accidents.

The operator of a railroad shall notify the Board by telephoning the National Response Center at telephone 800-424-0201 at the earliest practicable time after the occurrence of any one of the following railroad accidents:

(a) No later than 2 hours after an accident which results in:

(1) A passenger or employee fatality or serious injury to two or more crew members or passengers requiring admission to a hospital;

(2) The evacuation of a passenger train;

(3) Damage to a tank car or container resulting in release of hazardous materials or involving evacuation of the general public; or

(4) A fatality at a grade crossing.

(b) No later than 4 hours after an accident which does not involve any of the circumstances enumerated in paragraph (a) of this section but which results in:

(1) Damage (based on a preliminary gross estimate) of $150,000 or more for repairs, or the current replacement cost, to railroad and nonrailroad property; or

(2) Damage of $25,000 or more to a passenger train and railroad and nonrailroad property.

(c) Accidents involving joint operations must be reported by the railroad that controls the track and directs the movement of trains where the accident has occurred.

(d) Where an accident for which notification is required by paragraph (a) or (b) of this section occurs in a remote area, the time limits set forth in that paragraph shall commence from the time the first railroad employee who was not at the accident site at the time of its occurrence has received notice thereof.

[41 FR 13925, Apr. 1, 1976, as amended at 47 FR 49408, Nov. 1, 1982]

§ 840.4 Information to be given in notification.

The notice required by §840.3 shall include the following information:

(a) Name and title of person reporting.

(b) Name of railroad.

(c) Location of accident (relate to nearest city).

(d) Time and date of accident.

(e) Description of accident.

(f) Casualties:

(1) Fatalities.

(2) Injuries.

(g) Property damage (estimate).

(h) Name and telephone number of person from whom additional information may be obtained.

[41 FR 13925, Apr. 1, 1976]

§ 840.5 Inspection, examination and testing of physical evidence.

(a) Any employee of the Safety Board, upon presenting appropriate
National Transportation Safety Board

§ 845.1 Applicability.

Unless otherwise specifically ordered by the National Transportation Safety Board (Board), the provisions of this part shall govern all transportation accident investigation hearings conducted under the authority of section 304(b) of the Independent Safety Board Act of 1974 (49 U.S.C. 1903(b)) and accident reports issued by the Board.

§ 845.2 Nature of hearing.

§ 845.3 Sessions open to the public.

Subpart A—Initial Procedure

§ 845.10 Determination to hold hearing.
§ 845.11 Board of inquiry.
§ 845.12 Notice of hearing.
§ 845.13 Designation of parties.

Subpart B—Conduct of Hearing

§ 845.20 Powers of chairman of board of inquiry.
§ 845.21 Hearing officer.
§ 845.22 Technical panel.
§ 845.23 Prehearing conference.
§ 845.24 Right of representation.
§ 845.25 Examination of witnesses.
§ 845.26 Evidence.
§ 845.27 Proposed findings.
§ 845.28 Stenographic transcript.
§ 845.29 Payment of witnesses.

Subpart C—Board Reports

§ 845.40 Accident report.
§ 845.41 Petitions for reconsideration or modification.

Subpart D—Public Record

§ 845.50 Public docket.
§ 845.51 Investigation to remain open.


SOURCE: 44 FR 34419, June 14, 1979, unless otherwise noted.

§ 845.1 Applicability.

Unless otherwise specifically ordered by the National Transportation Safety Board (Board), the provisions of this part shall govern all transportation accident investigation hearings conducted under the authority of section 304(b) of the Independent Safety Board Act of 1974 (49 U.S.C. 1903(b)) and accident reports issued by the Board.