

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1118(a)	49 App.:1907(a) (1st-6th, last sentences).	Jan. 3, 1975, Pub. L. 93-633, § 309(a), 88 Stat. 2173; Oct. 11, 1976, Pub. L. 94-481, 90 Stat. 2080; Sept. 11, 1978, Pub. L. 95-363, § 2, 92 Stat. 597; Nov. 3, 1981, Pub. L. 97-74, § 2, 95 Stat. 1065; June 6, 1983, Pub. L. 98-37, 97 Stat. 204; July 19, 1988, Pub. L. 100-372, § 2, 102 Stat. 876; Nov. 28, 1990, Pub. L. 101-641, § 2, 104 Stat. 4654.
1118(b)	49 App.:1907(b) (1st, 2d sentences).	Jan. 3, 1975, Pub. L. 93-633, 88 Stat. 2156, § 309(b); added July 19, 1988, Pub. L. 100-372, § 2(b), 102 Stat. 876.
1118(c)	49 App.:1907(a) (7th sentence), (b) (last sentence).	

In subsection (a), the words “to the National Transportation Safety Board” are added for clarity and consistency in the revised title. References to the fiscal years ending June 30, 1975, through September 30, 1992, are omitted as obsolete.

In subsection (b)(2), the words “amounts equal to amounts expended annually out of the fund” are substituted for “to replenish the fund annually” for clarity.

Editorial Notes

AMENDMENTS

2024—Subsec. (a). Pub. L. 118-63 amended subsec. (a) generally. Prior to amendment, subsec. (a) authorized appropriations for fiscal years 2019 through 2022.

2018—Subsec. (a). Pub. L. 115-254 amended subsec. (a) generally. Prior to amendment, text read as follows: “There are authorized to be appropriated for the purposes of this chapter \$57,000,000 for fiscal year 2000, \$65,000,000 for fiscal year 2001, \$72,000,000 for fiscal year 2002, \$73,325,000 for fiscal year 2003, \$78,757,000 for fiscal year 2004, \$83,011,000 for fiscal year 2005, \$87,539,000 for fiscal year 2006, \$81,594,000 for fiscal year 2007, and \$92,625,000 for fiscal year 2008. Such sums shall remain available until expended.”

2006—Subsec. (a). Pub. L. 109-443, § 8(a), struck out “and” after “2005,” and substituted “2006, \$81,594,000 for fiscal year 2007, and \$92,625,000 for fiscal year 2008.” for “2006.”

Subsec. (c). Pub. L. 109-443, § 8(b)(1), amended subsec. (c) generally. Prior to amendment, subsec. (c) related to appropriations and fees for the National Transportation Safety Board Academy.

Subsec. (d). Pub. L. 109-443, § 8(c), struck out heading and text of subsec. (d). Text read as follows: “The National Transportation Safety Board shall transmit an annual report to the Congress on the activities and operations of the National Transportation Safety Board Academy.”

2003—Subsec. (a). Pub. L. 108-168, § 2(a), struck out “and” after “fiscal year 2001,” and substituted “\$73,325,000 for fiscal year 2003, \$78,757,000 for fiscal year 2004, \$83,011,000 for fiscal year 2005, and \$87,539,000 for fiscal year 2006. Such sums shall” for “such sums to”.

Subsec. (b). Pub. L. 108-168, § 2(b), added second sentence and struck out former second sentence which read as follows: “Amounts equal to the amounts expended annually out of the fund are authorized to be appropriated to the emergency fund.”

Subsecs. (c), (d). Pub. L. 108-168, § 2(c), added subsecs. (c) and (d).

2000—Pub. L. 106-424 amended section catchline and text generally. Prior to amendment, text read as follows:

“(a) IN GENERAL.—There is authorized to be appropriated for the purposes of this chapter \$37,580,000 for fiscal year 1994, \$44,000,000 for fiscal year 1995, \$45,100,000

for fiscal year 1996, \$42,400,000 for fiscal year 1997, \$44,400,000 for fiscal year 1998, and \$46,600,000 for fiscal year 1999. Such sums shall remain available until expended.

“(b) EMERGENCY FUND.—The Board has an emergency fund of \$1,000,000 available for necessary expenses of the Board, not otherwise provided for, for accident investigations. The following amounts may be appropriated to the fund:

“(1) \$1,000,000 to establish the fund.

“(2) amounts equal to amounts expended annually out of the fund.

“(c) AVAILABILITY OF AMOUNTS.—Amounts appropriated under this section remain available until expended.”

1996—Subsec. (a). Pub. L. 104-291 struck out “and” after “1995,” and inserted “, \$42,400,000 for fiscal year 1997, \$44,400,000 for fiscal year 1998, and \$46,600,000 for fiscal year 1999.” before period at end of first sentence.

1994—Subsec. (a). Pub. L. 103-411 reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “Not more than \$38,800,000 may be appropriated to the National Transportation Safety Board for the fiscal year ending September 30, 1993, to carry out this chapter.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-443, § 8(b)(2), Dec. 21, 2006, 120 Stat. 3300, provided that: “The amendments made by paragraph (1) [amending this section] shall take effect on October 1, 2005.”

§ 1119. Accident and safety data classification and publication

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this section, the National Transportation Safety Board shall, in consultation and coordination with the Administrator of the Federal Aviation Administration, develop a system for classifying air carrier accident data maintained by the Board.

(b) REQUIREMENTS FOR CLASSIFICATION SYSTEM.—

(1) IN GENERAL.—The system developed under this section shall provide for the classification of accident and safety data in a manner that, in comparison to the system in effect on the date of the enactment of this section, provides for safety-related categories that provide clearer descriptions of accidents associated with air transportation, including a more refined classification of accidents which involve fatalities, injuries, or substantial damage and which are only related to the operation of an aircraft.

(2) PUBLIC COMMENT.—In developing a system of classification under paragraph (1), the Board shall provide adequate opportunity for public review and comment.

(3) FINAL CLASSIFICATION.—After providing for public review and comment, and after consulting with the Administrator, the Board shall issue final classifications. The Board shall ensure that air travel accident covered under this section is classified in accordance with the final classifications issued under this section for data for calendar year 1997, and for each subsequent calendar year.

(4) PUBLICATION.—The Board shall publish on a periodic basis accident and safety data in accordance with the final classifications issued under paragraph (3).

(5) RECOMMENDATIONS OF THE ADMINISTRATOR.—The Administrator may, from time to time, request the Board to consider revisions (including additions to the classification system developed under this section). The Board shall respond to any request made by the Administrator under this section not later than 90 days after receiving that request.

(c) APPEALS.—

(1) NOTIFICATION OF RIGHTS.—In any case in which an employee of the Board determines that an occurrence associated with the operation of an aircraft constitutes an accident, the employee shall notify the owner or operator of that aircraft of the right to appeal that determination to the Board.

(2) PROCEDURE.—The Board shall establish and publish the procedures for appeals under this subsection.

(3) LIMITATION ON APPLICABILITY.—This subsection shall not apply in the case of an accident that results in a loss of life.

(Added Pub. L. 104-264, title IV, §407(a)(1), Oct. 9, 1996, 110 Stat. 3257; amended Pub. L. 108-168, §5, Dec. 6, 2003, 117 Stat. 2034.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsecs. (a) and (b)(1), is the date of enactment of Pub. L. 104-264, which was approved Oct. 9, 1996.

AMENDMENTS

2003—Subsec. (c). Pub. L. 108-168 added subsec. (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Except as otherwise specifically provided, section applicable only to fiscal years beginning after Sept. 30, 1996, and not to be construed as affecting funds made available for a fiscal year ending before Oct. 1, 1996, see section 3 of Pub. L. 104-264, set out as an Effective Date of 1996 Amendment note under section 106 of this title.

MULTIMODAL ACCIDENT DATABASE MANAGEMENT SYSTEM

Pub. L. 115-254, div. C, §1108, Oct. 5, 2018, 132 Stat. 3433, provided that:

“(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act [Oct. 5, 2018], the [National Transportation Safety] Board shall establish and maintain a multimodal accident database management system for Board investigators.

“(b) PURPOSES.—The purposes of the system shall be to support the Board in improving—

“(1) the quality of accident data the Board makes available to the public; and

“(2) the selection of accidents for investigation and allocation of limited resources.

“(c) REQUIREMENTS.—The system shall—

“(1) maintain a historical record of accidents that are investigated by the Board; and

“(2) be capable of the secure storage, retrieval, and management of information associated with the investigations of such accidents.”

SUBCHAPTER III—AUTHORITY

§ 1131. General authority

(a) GENERAL.—(1) The National Transportation Safety Board shall investigate or have inves-

tigated (in detail the Board prescribes) and establish the facts, circumstances, and cause or probable cause of—

(A) an aircraft accident the Board has authority to investigate under section 1132 of this title or an aircraft accident involving a public aircraft as defined by section 40102(a) of this title other than an aircraft operated by the Armed Forces or by an intelligence agency of the United States;

(B) a highway accident, including a railroad grade crossing accident, the Board selects, concurrent with any State investigation, in which case the Board and the relevant State agencies shall coordinate to ensure both the Board and State agencies have timely access to the information needed to conduct each such investigation, including any criminal and enforcement activities conducted by the relevant State agency;

(C) a railroad—

(i) accident in which there is a fatality or substantial property damage, except—

(I) a grade crossing accident or incident, unless selected by the Board; or

(II) an accident or incident involving a trespasser, unless selected by the Board; or

(ii) accident or incident that involves a passenger train, except in any case in which such accident or incident resulted in no fatalities or serious injuries to the passengers or crewmembers of such train, and—

(I) was a grade crossing accident or incident, unless selected by the Board; or

(II) such accident or incident involved a trespasser, unless selected by the Board;

(D) a pipeline accident in which there is a fatality, substantial property damage, or significant injury to the environment;

(E) a major marine casualty (except a casualty involving only public vessels) occurring on or under the navigable waters, internal waters, or the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988, or involving a vessel of the United States (as defined in section 116 of title 46), under regulations prescribed jointly by the Board and the head of the department in which the Coast Guard is operating; and

(F) any other accident related to the transportation of individuals or property when the Board decides—

(i) the accident is catastrophic;

(ii) the accident involves problems of a recurring character; or

(iii) the investigation of the accident would carry out this chapter.

(2)(A) Subject to the requirements of this paragraph, an investigation by the Board under paragraph (1)(A)–(D) or (F) of this subsection has priority over any investigation by another department, agency, or instrumentality of the United States Government. The Board shall provide for appropriate participation by other departments, agencies, or instrumentalities in the investigation. However, those departments, agencies, or instrumentalities may not participate in the decision of the Board about the probable cause of the accident.