

Subsection (a)(2) is substituted for the text of 49 App.:26(f) (words after last semicolon) for clarity.

In subsection (b), the words “In carrying out an investigation” are substituted for “shall have authority to investigate such collisions, derailments, or other accidents aforesaid, and all the attending facts, conditions, and circumstances, and for that purpose” to eliminate unnecessary words. The words “books, papers, orders, memoranda” are omitted as being included in “papers”. The words “in coordination with” are substituted for “in connection with” for clarity. The words “The railroad carrier on whose railroad line the accident or incident occurred” are added for clarity.

In subsection (c), the words “When in the public interest” are substituted for “when he deems it to be the public interest” to eliminate unnecessary words.

**Editorial Notes**

AMENDMENTS

2021—Subsec. (b). Pub. L. 117-58, § 22417(1), substituted “subpoena” for “subpena”.

Subsec. (d). Pub. L. 117-58, § 22417(2), added subsec. (d).

**§ 20903. Reports not evidence in civil actions for damages**

No part of an accident or incident report filed by a railroad carrier under section 20901 of this title or made by the Secretary of Transportation under section 20902 of this title may be used in a civil action for damages resulting from a matter mentioned in the report.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 887.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)              |
|-----------------|--------------------|---|
| 20903 .....     | 45:41.             | May 6, 1910, ch. 208, §4, 36 Stat. 351. |

The words “civil action” are substituted for “suit or action” for consistency in the revised title and with other titles of the United States Code.

**CHAPTER 211—HOURS OF SERVICE**

- Sec. 21101. Definitions.
- 21102. Nonapplication, exemption, and alternate hours of service regime.
- 21103. Limitations on duty hours of train employees.
- 21104. Limitations on duty hours of signal employees.
- 21105. Limitations on duty hours of dispatching service employees.
- 21106. Limitations on employee sleeping quarters.
- 21107. Maximum duty hours and subjects of collective bargaining.
- 21108. Pilot projects.
- 21109. Regulatory authority.

**Editorial Notes**

AMENDMENTS

2008—Pub. L. 110-432, div. A, title I, §108(d)(2), (e)(2)(A), Oct. 16, 2008, 122 Stat. 4864, 4865, substituted item 21102 for former item 21102 “Nonapplication and exemption” and added item 21109.

1994—Pub. L. 103-440, title II, § 203(b), Nov. 2, 1994, 108 Stat. 4620, added item 21108.

**§ 21101. Definitions**

In this chapter—

- (1) “designated terminal” means the home or away-from-home terminal for the assignment of a particular crew.

(2) “dispatching service employee” means an operator, train dispatcher, or other train employee who by the use of an electrical or mechanical device dispatches, reports, transmits, receives, or delivers orders related to or affecting train movements.

(3) “employee” means a dispatching service employee, a signal employee, or a train employee.

(4) “signal employee” means an individual who is engaged in installing, repairing, or maintaining signal systems.

(5) “train employee” means an individual engaged in or connected with the movement of a train, including a hostler.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 888; Pub. L. 110-432, div. A, title I, §108(a), Oct. 16, 2008, 122 Stat. 4860.)

HISTORICAL AND REVISION NOTES

| Revised Section                | Source (U.S. Code)           | Source (Statutes at Large)   |
|--------------------------------|------------------------------|--|
| 21101(1) .....                 | 45:61(b)(4) (1st sentence).  | Mar. 4, 1907, ch. 2939, 34 Stat. 1415, §1(b)(4) (1st sentence); added Nov. 2, 1978, Pub. L. 95-574, §6, 92 Stat. 2461.   |
| 21101(2)-(4)<br>21101(5) ..... | (no source).<br>45:61(b)(2). | Mar. 4, 1907, ch. 2939, §1(b)(2), 34 Stat. 1415; re-stated Dec. 26, 1969, Pub. L. 91-169, §1, 83 Stat. 463; July 8, 1976, Pub. L. 94-348, §4(c), 90 Stat. 818. |

Clause (2) is added to avoid the necessity of repeating the substance of the definition every time a “dispatching service employee” is referred to in this chapter. The language in clause (2) is derived from 45:63.

Clause (3) is added to provide a definition of “employee” when the source provisions apply to all types of employees covered by this chapter.

Clause (4) is added to avoid the necessity of repeating the substance of the definition every time a “signal employee” is referred to in this chapter. The language in clause (4) is derived from 45:63a.

In clause (5), the words “train employee” are substituted for “employee” to distinguish the term from the terms “dispatching service employee” and “signal employee”. The word “actually” is omitted as surplus.

**Editorial Notes**

AMENDMENTS

2008—Par. (4). Pub. L. 110-432 struck out “employed by a railroad carrier” after “individual”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-432, div. A, title I, §108(g), Oct. 16, 2008, 122 Stat. 4866, provided that: “The amendments made by subsections (a), (b), and (c) [amending this section and sections 21103 and 21104 of this title] shall take effect 9 months after the date of enactment of this Act [Oct. 16, 2008].”

RECORD KEEPING AND REPORTING

Pub. L. 110-432, div. A, title I, §108(f), Oct. 16, 2008, 122 Stat. 4866, provided that:

“(1) REGULATIONS.—Not later than 180 days after the date of enactment of this Act [Oct. 16, 2008], the Secretary [of Transportation] shall prescribe a regulation revising the requirements for recordkeeping and reporting for Hours of Service of Railroad Employees contained in part 228 of title 49, Code of Federal Regulations—

“(A) to adjust record keeping and reporting requirements to support compliance with chapter 211 of title 49, United States Code, as amended by this Act;