

PART 225—RAILROAD ACCIDENTS/ INCIDENTS: REPORTS CLASSI- FICATION, AND INVESTIGA- TIONS

Sec.

- 225.1 Purpose.
- 225.3 Applicability.
- 225.5 Definitions.
- 225.7 Public examination and use of reports.
- 225.9 Telephonic reports of certain accidents/incidents.
- 225.11 Reporting of accidents/incidents.
- 225.12 Rail Equipment Accident/Incident Reports alleging employee human factor as cause; Employee Human Factor Attachment; notice to employee; employee supplement.
- 225.13 Late reports.
- 225.15 Accidents/incidents not to be reported.
- 225.17 Doubtful cases; alcohol or drug involvement.
- 225.19 Primary groups of accidents/incidents.
- 225.21 Forms.
- 225.23 Joint operations.
- 225.25 Recordkeeping.
- 225.27 Retention of records.
- 225.29 Penalties.
- 225.31 Investigations.
- 225.33 Internal control plans.
- 225.35 Access to records and reports.
- 225.37 Magnetic media transfer and electronic submission.
- 225.39 FRA policy on covered data.

APPENDIX A TO PART 225—SCHEDULE OF CIVIL PENALTIES

APPENDIX B TO PART 225—PROCEDURE FOR DETERMINING REPORTING THRESHOLD

AUTHORITY: 49 U.S.C. 103, 322(a), 20103, 20107, 20901–20902, 21301, 21302, 21311; 28 U.S.C. 2461, note; and 49 CFR 1.49.

SOURCE: 39 FR 43224, Dec. 11, 1974, unless otherwise noted.

§ 225.1 Purpose.

The purpose of this part is to provide the Federal Railroad Administration with accurate information concerning the hazards and risks that exist on the Nation's railroads. FRA needs this information to effectively carry out its regulatory responsibilities under 49 U.S.C. chapters 201–213. FRA also uses this information for determining comparative trends of railroad safety and to develop hazard elimination and risk reduction programs that focus on preventing railroad injuries and accidents. Issuance of these regulations under the federal railroad safety laws and regula-

tions preempts States from prescribing accident/incident reporting requirements. Any State may, however, require railroads to submit to it copies of accident/incident and injury/illness reports filed with FRA under this part, for accidents/incidents and injuries/illnesses which occur in that State.

[61 FR 30967, June 18, 1996]

§ 225.3 Applicability.

(a) Except as provided in paragraphs (b), (c), and (d), this part applies to all railroads except—

(1) A railroad that operates freight trains only on track inside an installation which is not part of the general railroad system of transportation or that owns no track except for track that is inside an installation that is not part of the general railroad system of transportation and used for freight operations.

(2) Rail mass transit operations in an urban area that are not connected with the general railroad system of transportation.

(3) A railroad that exclusively hauls passengers inside an installation that is insular or that owns no track except for track used exclusively for the hauling of passengers inside an installation that is insular. An operation is not considered insular if one or more of the following exists on its line:

(i) A public highway-rail grade crossing that is in use;

(ii) An at-grade rail crossing that is in use;

(iii) A bridge over a public road or waters used for commercial navigation; or

(iv) A common corridor with a railroad, *i.e.*, its operations are within 30 feet of those of any railroad.

(b) The Internal Control Plan requirements in § 225.33(a)(3) through (10) do not apply to—

(1) Railroads that operate or own track on the general railroad system of transportation that have 15 or fewer employees covered by the hours of service law (49 U.S.C. 21101–21107) and

(2) Railroads that operate or own track exclusively off the general system.

(c) The recordkeeping requirements regarding accountable injuries and illnesses and accountable rail equipment