

Surface Transportation Board, DOT

§ 1220.1

Subpart B, section 920(a), Lines For Which Data Collection Is Required, (Docket No. 36366).

PART 1220—PRESERVATION OF RECORDS

Signature _____

Date _____

The lines covered by this certification are described below: (Describe each branch line separately using the following format as set forth in 49 CFR 1152.11.)

- (a) Carrier's designation for line (Ex. Zanesville Secondary Track);
- (b) State or states in which line is located;
- (c) County or counties in which line is located;
- (d) Milepost delineating each line or portion of line;
- (e) Agency or terminal station(s) located on line or portion of line with milepost designations;
- (f) Current category designation and date placed in that category; and
- (g) Previous category.

[44 FR 9730, Feb. 14, 1979, as amended at 47 FR 49596, Nov. 1, 1982]

PARTS 1202-1219 [RESERVED]

PARTS 1220-1239—PRESERVATION OF RECORDS

NOTE: Section 20(7)(b) of the Interstate Commerce Act includes the following provision:

Any person who shall knowingly and willfully make, cause to be made, or participate in the making of, any false entry in any annual or other report required under this section to be filed, or in the accounts of any book of accounts or in any records or memoranda kept by a carrier, or required under this section to be kept by a lessor or other person, or who shall knowingly and willfully destroy, mutilate, alter, or by any other means or device falsify the record of any such accounts, records, or memoranda, * * * shall be deemed guilty of a misdemeanor and shall be subject, upon conviction in any court of the United States of competent jurisdiction to a fine of not more than five thousand dollars or imprisonment for not more than two years, or both such fine and imprisonment: *Provided*, That the Board may in its discretion issue orders specifying such operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents of such carriers, lessors, or other persons as may, after a reasonable time, be destroyed, and prescribing the length of time the same shall be preserved.

Sec.

- 1220.0 Applicability.
- 1220.1 Records required to be retained.
- 1220.2 Protection and storage of records.
- 1220.3 Preservation of records.
- 1220.4 Companies going out of business.
- 1220.5 Waiver of requirements of these regulations.
- 1220.6 Schedule of records and periods of retention.

AUTHORITY: 49 U.S.C. 721, 11144, 11145.

SOURCE: 50 FR 10775, Mar. 18, 1985; 51 FR 22083, June 18, 1986, unless otherwise noted.

§ 1220.0 Applicability.

The preservation of record rules contained in this part shall apply to the following:

- Railroad companies
- Electric railway companies
- Express companies
- Persons furnishing cars to railroads
- Ratemaking organizations

This part applies also to the preservation of accounts, records and memoranda of traffic associations, demurrage and car service bureaus, weighing and inspection bureaus, and other joint activities maintained by or on behalf of companies listed in the above paragraph of this subpart.

[50 FR 1075, Mar. 18, 1985 and 51 FR 22083, June 18, 1986, as amended at 51 FR 44297, Dec. 9, 1986; 62 FR 50525, Sept. 26, 1997]

§ 1220.1 Records required to be retained.

Companies subject to this part shall retain records for the minimum retention periods required by § 1220.6, Schedule of records and periods of retention. After the required retention periods, the records may be destroyed at the discretion of each company's management. It shall be the obligation of the subject company to maintain records that adequately support financial and operational data required by the Board. The company may request a ruling from the Board on the retention of any record. The provisions of this part shall not be construed as excusing compliance with the lawful requirements of any other governmental body prescribing longer retention periods for any category of records.