

Public Law 97-74
97th Congress

An Act

To amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1981, 1982, and 1983, and for other purposes.

Nov. 3, 1981
[S. 1000]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Independent Safety Board Act Amendments of 1981".

Independent
Safety Board Act
Amendments of
1981.
49 USC 1901
note.

INDEPENDENT SAFETY BOARD AUTHORIZATION OF APPROPRIATIONS

SEC. 2. Section 309 of the Independent Safety Board Act of 1974 (49 U.S.C. 1907) is amended by adding at the end thereof the following new sentence: "There are authorized to be appropriated for the purposes of this Act not to exceed \$18,540,000 for the fiscal year ending September 30, 1981, \$19,925,000 for the fiscal year ending September 30, 1982, and \$22,100,000 for the fiscal year ending September 30, 1983, such sums to remain available until expended."

PRIORITY OF BOARD INVESTIGATIONS

SEC. 3. Section 304(a)(1) of the Independent Safety Board Act of 1974 (49 U.S.C. 1903(a)(1)) is amended by inserting before "The Board may request" the following new sentences: "Any investigation of an accident conducted by the Board under this paragraph (other than subparagraph (E)) shall have priority over all other investigations of such accident conducted by other Federal agencies. The Board shall provide for the appropriate participation by other Federal agencies in any such investigation, except that such agencies may not participate in the Board's determination of the probable cause of the accident. Nothing in this section impairs the authority of other Federal agencies to conduct investigations of an accident under applicable provisions of law or to obtain information directly from parties involved in, and witnesses to, the transportation accident. The Board and other Federal agencies shall assure that appropriate information obtained or developed in the course of their investigations is exchanged in a timely manner."

REPORTING OF AVIATION INCIDENTS

SEC. 4. Section 304(a)(6) of the Independent Safety Board Act of 1974 (49 U.S.C. 1903(a)(6)) is amended by inserting "and aviation incidents" immediately after "accidents".

EXAMINATION AND TESTING OF PHYSICAL EVIDENCE

SEC. 5. Section 304(b)(2) of the Independent Safety Board Act of 1974 (49 U.S.C. 1903(b)(2)) is amended—

(1) by inserting immediately before the period at the end of the first sentence the following: ", including examination or testing of any vehicle, rolling stock, track, or pipeline component or any

part of any such item when such examination or testing is determined to be required for purposes of such investigation. Any examination or testing shall be conducted in such manner so as not to interfere with or obstruct unnecessarily the transportation services provided by the owner or operator of such vehicle, rolling stock, track, or pipeline component, and shall be conducted in such a manner so as to preserve, to the maximum extent feasible, any evidence relating to the transportation accidents, consistent with the needs of the investigation and with the cooperation of such owner or operator"; and

(2) in the last sentence, by inserting ", examination, or test" immediately after "inspection" each place it appears.

RESPONSE TO BOARD RECOMMENDATIONS

SEC. 6. Section 307 of the Independent Safety Board Act of 1974 (49 U.S.C. 1906) is amended by inserting "(a)" immediately after "Sec. 307." and by adding at the end thereof the following new subsection:

"(b) The Secretary shall submit a report to the Congress on January 1 of each year setting forth all the Board's recommendations to the Secretary during the preceding year regarding transportation safety and a copy of the Secretary's response to each such recommendation."

Report to
Congress.

Approved November 3, 1981.

LEGISLATIVE HISTORY—S. 1000 (H.R. 3404):

HOUSE REPORTS: No. 97-108, Pt. 1 (Comm. on Energy and Commerce); Pt. 2 (Comm. on Public Works and Transportation) both accompanying H.R. 3404.

SENATE REPORT No. 97-41 (Comm. on Commerce, Science, and Transportation).
CONGRESSIONAL RECORD, Vol. 127 (1981):

May 4, considered and passed Senate.

Oct. 13, considered and passed House, amended, in lieu of H.R. 3404.

Oct. 21, Senate concurred in House amendments.