

CHAPTER 8

Aircraft Accident Investigation

SECTIONS

§ 801. Accidents involving civil aircraft.

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(1) *General duties.* It shall be the duty of the Secretary to:

- (a) Make rules and regulations governing notification and report of accidents involving civil aircraft;
- (b) Investigate such accidents and report the facts, conditions, and circumstances relating to each accident and the probable cause thereof;
- (c) Take such actions as, in his opinion, will tend to prevent similar accidents in the future;
- (d) Make such reports public in such form and manner as may be deemed by him to be in the public interest; and
- (e) Ascertain what will best tend to reduce or eliminate the possibility of, or recurrence of, accidents by conducting special studies and investigations on matters pertaining to safety in air navigation and the prevention of accidents.

(2) *Conduct of investigations.* In conducting any hearing or investigation, any officer or employee of the Secretary shall have the same powers as the Secretary has with respect to hearings or investigations conducted by him. In carrying out his duties under this title, the Secretary is authorized to examine and test to the extent necessary any civil aircraft, aircraft engine, propeller, appliance, or property aboard an aircraft involved in an accident in air commerce. In the case of any fatal accident, the Secretary is authorized to examine the remains of any deceased person aboard the aircraft at the time of the accident, who dies as a result of the accident, and to conduct autopsies or such other tests thereof as may be necessary to the investigation of the accident.

(3) *Tampering with evidence.* Any civil aircraft, aircraft engine, propeller, appliance, or property aboard an aircraft involved in an accident in air commerce, shall be preserved in accordance with, and shall not be moved except in accordance with, regulations prescribed by the Secretary. Anyone who violates this subsection commits a national offense, punishable by a fine not to exceed \$5,000 or imprisonment for a term not exceeding one year, or both.

(4) *Use of record and reports as evidence.* No part of any report or reports of the Secretary relating to any accident or the investigation thereof, shall be admitted as evidence or used in any suit or action for damages growing out of any matter mentioned in such report or reports.

(5) *Use of other agencies in accident investigations.* Upon the request of the Secretary, other government agencies and departments are authorized to make investigations with regard to aircraft accidents and to report to the Secretary the facts, conditions, and circumstances thereof, and the Secretary is authorized to utilize such reports in making its determinations of probable cause under this title.

Source: PL 9-138 § 57.

Cross-reference: The statutory provisions on the President and the Executive are found in title 2 of this code.