

§7314. Post-accident reporting requirements

1. Post-accident review. After an accident involving hazardous materials subject to review by the applicable federal agency or when an accident is not reviewed by the applicable federal agency but review is considered necessary by the Commissioner of Transportation, the commissioner shall ensure that a post-accident review and analysis is performed in a timely manner. The commissioner's review and analysis must be undertaken under an agreement with an entity having relevant knowledge and experience that is fully independent of the railroad carrier's companies.

[PL 2023, c. 618, §9 (NEW).]

2. Evaluation requirements. The Commissioner of Transportation's review and analysis process must include an after-action review and must evaluate, at a minimum, processes occurring during the accident for emergency assessment, hazard operations, population protection and accident management. The review and analysis must be designed to minimize disruption of the federal review of the accident.

[PL 2023, c. 618, §9 (NEW).]

3. Report. By March 1st following any calendar year in which one or more post-accident reviews and analyses are performed, the Commissioner of Transportation shall submit a report to the joint standing committees of the Legislature having jurisdiction over railroads and public records matters. The report must:

A. Provide a summary of the accidents, as long as the information provided does not include information excluded from the definition of "public records" pursuant to Title 1, section 402, subsection 3, paragraph U; [PL 2023, c. 618, §9 (NEW).]

B. Identify findings, conclusions and process changes; [PL 2023, c. 618, §9 (NEW).]

C. Include any costs associated with accidents; and [PL 2023, c. 618, §9 (NEW).]

D. Make recommendations for changes to laws and rules, if any. [PL 2023, c. 618, §9 (NEW).]
[PL 2023, c. 618, §9 (NEW).]

SECTION HISTORY

PL 2023, c. 618, §9 (NEW).

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