

## The Locomotion Inspection Act

The first Federal statute addressing steam locomotives was the Ash Pan Act passed by Congress on May 30, 1908. The Act described how the ash pans were to be attached to the steam boiler and that they were to be maintained in a safe suitable condition for service. While the Ash Pan Act was repealed by Congress as part of the "Federal Railroad Safety Authorization Act of 1982," ash pans are still under Federal regulations (Part 230.)

In 1911, Congress passed the Boiler Inspection Act, bringing all locomotive steam boilers under Federal auspices. Over the decades since then the Boiler Inspection Act has evolved into the Locomotive Inspection Act as it currently exists.

The Locomotive Inspection Act (49 USC § 20701) states:

A railroad carrier may use or allow to be used a locomotive or tender on its railroad line only when the locomotive or tender and its parts and appurtenances--

(1) are in proper condition and safe to operate without unnecessary danger of personal injury;

(2) have been inspected as required under this chapter and regulations prescribed by the Secretary of Transportation under this chapter; and

(3) can withstand every test prescribed by the Secretary under this chapter.

This places an absolute duty upon the railroad to provide a locomotive free of all safety hazards; further the Code of Federal Regulations "Prescribes minimum Federal safety standards for all locomotives except those propelled by steam power" (49 CFR § 229.1).