TITLE 49 - TRANSPORTATION
SUBTITLE II - OTHER GOVERNMENT AGENCIES
CHAPTER 11 - NATIONAL TRANSPORTATION SAFETY BOARD
SUBCHAPTER III - AUTHORITY

§ 1134. Inspections and autopsies

(a) Entry and Inspection.— An officer or employee of the National Transportation Safety Board—
(1) on display of appropriate credentials and written notice of inspection authority, may enter
property where a transportation accident has occurred or wreckage from the accident is located
and do anything necessary to conduct an investigation; and
(2) during reasonable hours, may inspect any record, process, control, or facility related to an
accident investigation under this chapter.

(b) Inspection, Testing, Preservation, and Moving of Aircraft and Parts.—
(1) In investigating an aircraft accident under this chapter, the Board may inspect and test, to the
extent necessary, any civil aircraft, aircraft engine, propeller, appliance, or property on an aircraft
involved in an accident in air commerce.
(2) Any civil aircraft, aircraft engine, propeller, appliance, or property on an aircraft involved in
an accident in air commerce shall be preserved, and may be moved, only as provided by regulations
of the Board.

(c) Avoiding Unnecessary Interference and Preserving Evidence.— In carrying out subsection
(a)(1) of this section, an officer or employee may examine or test any vehicle, vessel, rolling stock,
track, or pipeline component. The examination or test shall be conducted in a way that—
(1) does not interfere unnecessarily with transportation services provided by the owner or operator
of the vehicle, vessel, rolling stock, track, or pipeline component; and
(2) to the maximum extent feasible, preserves evidence related to the accident, consistent with the
needs of the investigation and with the cooperation of that owner or operator.

(d) Exclusive Authority of Board.— Only the Board has the authority to decide on the way in which
testing under this section will be conducted, including decisions on the person that will conduct the test,
the type of test that will be conducted, and any individual who will witness the test. Those decisions
are committed to the discretion of the Board. The Board shall make any of those decisions based on
the needs of the investigation being conducted and, when applicable, subsections (a), (c), and (e) of
this section.

(e) Promptness of Tests and Availability of Results.— An inspection, examination, or test under
subsection (a) or (c) of this section shall be started and completed promptly, and the results shall be
made available.

(f) Autopsies.—
(1) The Board may order an autopsy to be performed and have other tests made when necessary to
investigate an accident under this chapter. However, local law protecting religious beliefs related
to autopsies shall be observed to the extent consistent with the needs of the accident investigation.
(2) With or without reimbursement, the Board may obtain a copy of an autopsy report performed
by a State or local official on an individual who died because of a transportation accident
investigated by the Board under this chapter.

### Historical and Revision Notes

<table>
<thead>
<tr>
<th>Revised Section</th>
<th>Source (U.S. Code)</th>
<th>Source (Statutes at Large)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1134(c)</td>
<td>49 App.:1903(b)(2) (1st sentence words after 3d comma, 2d sentence).</td>
<td></td>
</tr>
<tr>
<td>1134(d)</td>
<td>49 App.:1903(b)(2) (5th, last sentences).</td>
<td></td>
</tr>
<tr>
<td>1134(e)</td>
<td>49 App.:1903(b)(2) (4th sentence).</td>
<td></td>
</tr>
<tr>
<td>1134(f)</td>
<td>49 App.:1441(c) (last sentence).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>49 App.:1655(d) (1st sentence).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>49 App.:1903(a)(1)(A), (b)(5).</td>
<td></td>
</tr>
</tbody>
</table>

In subsection (a), before clause (1), the word “officer” is added for consistency in the revised title.

In subsection (b)(1), the words “investigating an aircraft accident” are substituted for “carrying out its duties” in 49 App.:1441(c) for clarity. The words “inspect and test” are substituted for “examine and test” for consistency in the revised title and with other titles of the United States Code.

In subsection (c), before clause (1), the words “In carrying out subsection (a)(1) of this section, an officer or employee” are added because of the restatement. The words “or any part of any such item” are omitted as surplus. The words “when such examination or testing is determined to be required for purposes of such investigation” are omitted as unnecessary because of the words “do anything necessary to conduct an investigation” in subsection (a)(1) of this section. In clause (1), the word “obstruct” is omitted as being included in “interfere”.

In subsection (d), the word “individuals” is substituted for “persons” the 2d time that word is used for clarity. The words “The Board shall make any of those decisions” are substituted for “and shall be made” because of the restatement.

In subsection (e), the word “promptly” is substituted for “with reasonable promptness” to eliminate unnecessary words.

In subsection (f)(1), the words “In the case of any fatal accident” in 49 App.:1441(c) are omitted as surplus. The words “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” are omitted as unnecessary because of the authority of the Board to conduct autopsies.