NTSB Solicits Public Comments on its Proposed Rulemaking to Update Investigation Procedures

Tuesday, August 12, 2014

WASHINGTON – The National Transportation Safety Board announced today that it has issued a Notice of Proposed Rulemaking seeking public comment regarding proposed changes to rules governing investigation procedures. The rules are laid out in 49 C.F.R. part 831.

In the NPRM, the NTSB proposes organizing its investigation procedures into mode-specific subparts to make the rules easier to access and consult. The NTSB also proposes to update some terms and procedures, including using the term “event” to describe transportation mishaps in regulatory text that applies to all transportation modes.

In addition, the NTSB proposes changes to its procedures for allowing party participants to share information for the purposes of making timely safety improvements. Under current regulations, party members perceive they are not allowed to share accident related information within their organization unless granted permission by the NTSB investigator-in-charge. If the rule change is implemented, party members will, under specific conditions, be able to share investigative information with supervisors for the purpose of improving safety without prior permission from the NTSB.

The NTSB also proposes including more detailed information concerning its role in foreign aviation investigations, and adding the Statement of Party Representatives to NTSB Investigations (commonly known as the “party agreement”) as an appendix to accompany part 831.

The NPRM follows two NTSB’s Federal Register notices from June 2012, which stated that the NTSB was undertaking a retrospective review of all agency regulations, in order to update them. In response to the June 2012 notice, the NTSB received comments concerning changes to part 831. The NTSB subsequently published a plan for undertaking such updates, which it published in January 2013.

All of the proposed changes, along with the rationale for each of them, are in the complete NPRM, which is available at https://federalregister.gov/a/2014-18921.

The public may submit comments to the NPRM via www.regulations.gov, Docket No. NTSB-GC-2012-0002, or via postal mail or facsimile, addressed to the NTSB Office of General Counsel. Comments should be submitted no later than October 14, 2014.

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