

**IDAPA 31  
TITLE 71  
CHAPTER 02  
31.71.02 - RAILROAD ACCIDENT REPORTING RULES**

**004. PUBLIC RECORDS ACT COMPLIANCE (RULE 4).**

Written reports of accidents submitted to the Commission are public records subject to inspection, examination and copying. Further investigative reports by the Commission or the Commission Staff are investigatory records exempt from public disclosure. See section 9-337(4) 340B(1), Idaho Code. Reports required by these rules and the results of further investigations by the Commission are by statute prohibited from admission into evidence in any action for damages based on or arising out of the loss of life or injury to the person or property. See section 61-517, Idaho Code. (7-1-93)(\_\_\_\_\_)

(BREAK IN CONTINUITY OF SECTIONS)

**008. INCORPORATION BY REFERENCE—CODE OF FEDERAL REGULATIONS (Rule 8).**

The Code of Federal Regulations (CFR) is referenced in Rule 101. The annual volumes of the CFR may be obtained from the Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954. The full text of the CFR is also available in electronic format at [www.access.gpo.gov/nara](http://www.access.gpo.gov/nara). The incorporated CFR Part is also available for inspection and copying at the offices of the Idaho Public Utilities Commission and the Idaho State Law Library. Whenever a federal regulation is adopted by reference in these rules, subsequent annual recompilations are also adopted by reference, but subsequent amendments to the CFR are not adopted by the reference.

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**0089. -- 100. (RESERVED).**

**RULES 101 THROUGH 200 – RAILROAD ACCIDENT/INCIDENT REPORTING PROCEDURES**  
~~**ADOPTION BY REFERENCE OF FEDERAL RULE**~~

**101. REPORTING OF RAILROAD ACCIDENTS (Rule 101).**

The Commission hereby adopts by reference ~~federal rules and regulations governing the Reporting of Railroad Accidents/Incidents: Reports, Classification, and Investigations, 49 C.F.R. Part 225 of the Code of Federal Regulations (October 1, 2002).~~ Pursuant to 49 C.F.R. 225.1, all railroads that are required to file a copy of any accident/incident report filed with the Federal Railroad Administration shall also file a copy of such report with the Commission Secretary for any accidents / or incidents occurring in Idaho. Copies of accident or incident reports shall be mailed to: Commission Secretary, Idaho Public Utilities Commission, PO Box 83720, Boise, Idaho 83720-0074 ((208) 334-0338). Copies of such reports may also be provided by facsimile at (208) 334-3762 or by

electronic mail to [secretary@puc.state.id.us](mailto:secretary@puc.state.id.us). ~~The Code of Federal Regulations is available from the Publications Division, U.S. Government Printing Office, Washington, D.C. 20402. The federal regulations adopted by reference in this rule are those contained in the compilations of 49 C.F.R. 225 published in the Code of Federal Regulations volume dated October 1, 1992, and as subsequently recompiled. (7-1-93)(\_\_\_\_\_)~~

**102. -- 999. (RESERVED).**