

§218.79

49 CFR Ch. II (10–1–03 Edition)

person in charge of the camp car occupants that protection is no longer required.

(c) The operator shall maintain for 15 days a written record of each notification that contains the following information:

- (1) The name and craft of the employee in charge who provided the notification;
- (2) The number or other designation of the track involved;
- (3) The date and time the operator notified the employee in charge that protection had been provided in accordance with paragraph (a) of this section; and
- (4) The date and time the operator was informed that the work had been completed, and the name and craft of the employee in charge who provided this information.

(d) When occupied camp cars are parked on main track, a derail, capable of restricting access to that portion of the track on which such equipment is located, shall be positioned no less than 150 feet from the end of such equipment and locked in a derailing position with an effective locking device, and a warning signal must be displayed at the derail.

§218.79 Alternative methods of protection.

Instead of providing protection for occupied camp cars in accordance with §218.75 or §218.77, the following methods of protection may be used:

- (a) When occupied camp cars are on track other than main track:

(1) A warning signal must be displayed at or near each switch providing access to or from the track;

(2) Each switch providing entrance to or departure from the area must be lined against movement to the track and locked with an effective locking device; and

(3) If the speed within this area is restricted to not more than five miles per hour, a derail, capable of restricting access to that portion of track on which the camp cars are located, will fulfill the requirements of a manually operated switch in compliance with paragraph (a)(2) of this section when positioned at least 50 feet from the end of the camp cars to be protected by the warning signal, when locked in a derailing position with an effective locking device, and when a warning signal is displayed at the derail.

(b) Except as provided in paragraph (a) of this section, when occupied camp cars are on track other than main track:

(1) A derail, capable of restricting access to that portion of the track on which such equipment is located, will fulfill the requirements of a manually operated switch when positioned no less than 150 feet from the end of such equipment; and

(2) Each derail must be locked in a derailing position with an effective locking device and a warning signal must be displayed at each derail.

§218.80 Movement of occupied camp cars.

Occupied cars may not be humped or flat switched unless coupled to a locomotive.

APPENDIX A TO PART 218—SCHEDULE OF CIVIL PENALTIES¹

| Section | Violation | Willful violation |
|--|-----------|-------------------|
| Subpart B—Blue signal protection of workmen: 218.22 Utility employees: (a) Employee qualifications | \$5,000 | \$7,500 |

¹Except as provided for in §218.57, a penalty may be assessed against an individual only for a willful violation. The Administrator reserves the right to assess a penalty of up to \$22,000 for any violation where the circumstances warrant. See 49 CFR part 209, appendix A.