

Section	Violation	Willful violation
221.15 Marking device inspection:		
(a) Failure to inspect at crew change .....	2,500	5,000
(b), (c) improper inspection	2,500	5,000
221.16 Inspection procedure:		
(a) Failure to obtain protection .....	5,000	7,500
(b) Improper protection .....	2,500	5,000
221.17 Movement of defective equipment .....	(1)	(1)

[53 FR 52930, Dec. 29, 1988]

**PART 223—SAFETY GLAZING STANDARDS—LOCOMOTIVES, PASSENGER CARS AND CABOOSES**

**Subpart A—General**

Sec.

- 223.1 Scope.
- 223.3 Application.
- 223.5 Definitions.
- 223.7 Responsibility.

**Subpart B—Specific Requirements**

- 223.8 Additional requirements for passenger equipment.
- 223.9 Requirements for new or rebuilt equipment.
- 223.11 Requirements for existing locomotives.
- 223.13 Requirements for existing cabooses.
- 223.15 Requirements for existing passenger cars.
- 223.17 Identification of equipped locomotives, passenger cars and cabooses.
- APPENDIX A TO PART 223—CERTIFICATION OF GLAZING MATERIALS
- APPENDIX B TO PART 223—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20102-03, 20133, 20701-20702, 21301-02, 21304; 49 CFR 1.49(c), (m).

**Subpart A—General**

**§ 223.1 Scope.**

This part provides minimum requirements for glazing materials in order to protect railroad employees and railroad passengers from injury as a result of objects striking the windows of locomotives, caboose and passenger cars.

[44 FR 77352, Dec. 31, 1979]

**§ 223.3 Application.**

(a) This part applies to railroads that operate rolling equipment on standard gauge track that is a part of the general railroad system of transportation.

(b) This part does not apply to—

(1) Locomotives, cabooses, and passenger cars that operate only on track inside an installation that is not part of the general railroad system of transportation;

(2) Rapid transit operations in an urban area that are not connected with the general railroad system of transportation.

(3) Locomotives, passenger cars and cabooses that are historical or antiquated equipment and are used only for excursion, educational, recreational purposes or private transportation purposes.

(4) Locomotives that are used exclusively in designated service as defined in § 223.5(m).

[44 FR 77352, Dec. 31, 1979, as amended at 53 FR 28600, July 28, 1988]

**§ 223.5 Definitions.**

As used in this part—

*Administrator* means the Administrator of the Federal Railroad Administration or the Administrator's delegate.

*Caboose* means a car in a freight train intended to provide transportation for crewmembers.

*Certified glazing* means a glazing material that has been certified by the manufacturer as having met the testing requirements set forth in Appendix A of this part and that has been installed in such a manner that it will perform its intended function.

*Designated service* means exclusive operation of a locomotive under the following conditions:

(1) The locomotive is not used as an independent unit or the controlling unit is a consist of locomotives except when moving for the purpose of servicing or repair within a single yard area;

(2) The locomotive is not occupied by operating or deadhead crews outside a single yard area; and

(3) The locomotive is stenciled "Designated Service—DO NOT OCCUPY".