

## Federal Railroad Administration, DOT

## §211.7

(1) *Administrator* means the Federal Railroad Administrator or the Deputy Administrator or the delegate of either of them.

(2) *Waiver* includes exemption.

(3) *Safety Act* means the Federal Railroad Safety Act of 1970, as amended (45 U.S.C. 421 *et seq.*).

(4) *Docket Clerk* means the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 1120 Vermont Avenue, N.W., Mail Stop 10, Washington, D.C. 20590 or the Docket Clerk, Department of Transportation Central Docket Management System, Nassif Building, Room Pl-401, 400 Seventh Street, S.W., Washington, D.C. 20590-0001.

(5) *Railroad Safety Board* means the Railroad Safety Board, Office of Safety, Federal Railroad Administration, Washington, DC 20590.

(c) Records relating to proceedings and inquiries subject to this part are available for inspection as provided in part 7 of this title.

[41 FR 54181, Dec. 13, 1976, as amended at 64 FR 70195, Dec. 16, 1999]

### §211.3 Participation by interested persons.

Any person may participate in proceedings and inquiries subject to this part by submitting written information or views. The Administrator may also permit any person to participate in additional proceedings, such as informal appearances, conferences, or hearings at which a transcript or minutes are kept, to assure informed administrative action and protect the public interest.

### §211.5 Regulatory docket.

(a)(1) Records of the Federal Railroad Administration created after November 1, 1998, concerning each proceeding subject to this part are maintained in current docket form by the DOT Docket Management System. These records include rulemaking and waiver petitions, emergency orders, notices, comments received in response to notices, hearing transcripts, final rules, denials of rulemaking petitions, grants and denial of waiver and other petitions. Also included are records pertaining to applications for special approval under §211.55 and §238.21 of this chapter, peti-

tions for grandfathering approval under §238.203 of this chapter, signal applications under parts 235 and 236 of this chapter, and informal safety inquiries under §211.61.

(2) Any person may examine docketed material created after November 1, 1998:

(i) At the DOT Docket Management System, room Pl-401 (plaza level), 400 Seventh Street, S.W. Washington, D.C. 20590. Copies of docketed materials may be obtained upon payment of the fees prescribed by the Docket Management System, or

(ii) Through the Internet at <http://dms.dot.gov>. All docketed materials are available for viewing and may be downloaded for electronic storage or printing. There is no charge for this service.

(b) Records of the Federal Railroad Administration created before November 1, 1998, concerning each proceeding subject to this part are available in FRA's Docket Office, seventh floor, 1120 Vermont Avenue, Washington, DC 20590. Any person may examine docketed material at that location during normal business hours. Copies of docketed material may be obtained upon payment of the fees prescribed in part 7 of this title.

(c) Any person may examine docketed material in the office where it is maintained. Copies of docketed material other than commercially prepared transcripts may be obtained upon payment of the fees prescribed in part 7 of this title.

[41 FR 54181, Dec. 13, 1976, as amended at 64 FR 70195, Dec. 16, 1999]

### §211.7 Filing requirements.

(a) Any person may petition the Administrator for issuance, amendment, repeal or permanent or temporary waiver of any rule or regulation. A petition for waiver must be submitted at least 3 months before the proposed effective date, unless good cause is shown for not doing so.

(b)(1) All petitions and applications subject to this part, including applications for special approval under §211.55 and §238.21 of this chapter, petitions for grandfathering approval under §238.203 of this chapter, and signal applications under parts 235 and 236 of