

§ 230.9

49 CFR Ch. II (10–1–04 Edition)

§ 230.9 Information collection.

(a) [Reserved]

(b) The information collection requirements are found in the following sections: §§ 230.3, 230.12 through 230.21, 230.33, 230.34, 230.41, 230.46, 230.47, 230.75, 230.96, 230.98, and 230.116.

§ 230.10 [Reserved]

GENERAL INSPECTION REQUIREMENTS

§ 230.11 Repair of non-complying conditions.

The steam locomotive owner and/or operator shall repair any steam locomotive that fails to comply with the conditions of this part, and shall approve any such repairs made, before placing the locomotive back into service.

§ 230.12 Movement of non-complying steam locomotives.

(a) *General limitations on movement.* A steam locomotive with one or more non-complying conditions may be moved only as a lite steam locomotive or a steam locomotive in tow, except as provided in paragraph (b) of this section. Cars essential to the movement of the steam locomotive and tender(s), including tool cars and a bunk car, may accompany lite movements.

(b) *Conditions for movement.* Prior to movement, the steam locomotive owner and/or operator shall determine that it is safe to move the locomotive, determine the maximum speed and other restrictions necessary for safely conducting the movement, and notify in writing the engineer in charge of the defective steam locomotive and, if towed, the engineer in charge of the towing locomotive consist, as well as all other crew members in the cabs, of the presence of the non-complying steam locomotive and the maximum speed and other movement restrictions. In addition, a tag bearing the words “non-complying locomotive” shall be securely attached to each defective steam locomotive and shall contain the following information:

- (1) The steam locomotive number;
- (2) The name of the inspecting entity;
- (3) The inspection location and date;
- (4) The nature of the defect;
- (5) Movement restrictions, if any;

(6) The destination; and

(7) The signature of the person making the determinations required by this paragraph (b).

(c) *Yard movements.* A non-complying steam locomotive may be moved lite or dead within a yard at speeds not in excess of 10 miles per hour without meeting the requirements of paragraph (b) of this section if the movement is solely for the purpose of repair. The locomotive owner and/or operator is responsible for ensuring that the movement may be safely made.

(d) *Non-complying conditions developed en route.* The locomotive owner and/or operator may continue in use a steam locomotive that develops a non-complying condition en route until the next daily inspection or the nearest forward point where the repairs necessary to bring it into compliance can be made, whichever is earlier. Before continuing en route, the steam locomotive owner and/or operator shall determine that it is safe to move the steam locomotive, determine the maximum speed and other restrictions necessary for safely conducting the movement, and notify in writing the engineer in charge of the defective steam locomotive and, if towed, the engineer in charge of the towing steam locomotive consist, as well as all other crew members in the cabs, of the presence of the non-complying steam locomotive and the maximum speed and other movement restrictions.

(e) *Special notice for repair.* Nothing in this section authorizes the movement of a steam locomotive subject to a Special Notice for Repair unless the movement is made in accordance with the restrictions contained in the Special Notice.

§ 230.13 Daily inspection.

(a) *General.* An individual competent to conduct the inspection shall inspect each steam locomotive and its tender each day that they are offered for use to determine that they are safe and suitable for service. The daily inspection shall be conducted to comply with all sections of this part, and a daily inspection report filed, by an individual competent to conduct the inspection. See appendices A and B of this part.