

Section	Violation	Willful violation
(1) Failure to repair	1,000	2,000
(2) Welding on, except as otherwise provided for	1,500	3,000
(a) Cracks or breaks in	1,000	2,000
(b) Flat spots	1,000	2,000
(c) Chipped flange	1,000	2,000
(d) Broken rim	1,000	2,000
(e) Shelled-out spots	1,000	2,000
(f) Seams	1,000	2,000
(g) Worn flanges, excessive wear	1,000	2,000
(h) Worn treads, excessive wear	1,000	2,000
(i) Flange height, insufficient or excessive	1,000	2,000
(j) Rim thickness, insufficient	1,000	2,000
(k) Wheel diameter, excessive variance	1,000	2,000
230.114 Wheel centers:		
(a) Filling blocks and shims	1,000	2,000
(b) Wheel center condemning limits, failure to repair	1,000	2,000
(c) Wheel center repairs	1,000	2,000
(d) Counterbalance maintenance	1,000	2,000
230.115 Feed water tanks:		
(a) General provisions	1,000	2,000
(b) Inspection frequency, failure to inspect as required	1,000	1,500
(c) Top of tender: Improperly maintained and/or equipped	1,000	1,500
230.116 Oil tanks:		
(1) Failure to properly maintain	2,500	5,000
(2) Failure to equip with complying safety cut-off device	5,000	7,500

¹ Failure to observe any condition for movement set forth in §230.12 will deprive the railroad of the benefit of the movement-for-repair provision and make the railroad and any responsible individuals liable for penalty under the particular regulatory section(s) concerning the substantive defect(s) present on the locomotive at the time of movement. Failure to comply with §230.12 will result in the lapse of any affected waiver.

PART 231—RAILROAD SAFETY APPLIANCE STANDARDS

- Sec.
- 231.0 Applicability and penalties.
- 231.1 Box and other house cars built or placed in service before October 1, 1966.
- 231.2 Hopper cars and high-side gondolas with fixed ends.
- 231.3 Drop-end high-side gondola cars.
- 231.4 Fixed-end low-side gondola and low-side hopper cars.
- 231.5 Drop-end low-side gondola cars.
- 231.6 Flat cars.
- 231.7 Tank cars with side platforms.
- 231.8 Tank cars without side sills and tank cars with short side sills and end platforms.
- 231.9 Tank cars without end sills.
- 231.10 Caboose cars with platforms.
- 231.11 Caboose cars without platforms.
- 231.12 Passenger-train cars with wide vestibules.
- 231.13 Passenger-train cars with open-end platforms.
- 231.14 Passenger-train cars without end platforms.
- 231.15 Steam locomotives used in road service.
- 231.16 Steam locomotives used in switching service.
- 231.17 Specifications common to all steam locomotives.
- 231.18 Cars of special construction.
- 231.19 Definition of "Right" and "Left."

- 231.20 Variation in size permitted.
- 231.21 Tank cars without underframes.
- 231.22 Operation of track motor cars.
- 231.23 Unidirectional passenger-train cars adaptable to van-type semi-trailer use.
- 231.24 Box and other house cars with roofs, 16 feet 10 inches or more above top of rail.
- 231.25 Track motorcars (self-propelled 4-wheel cars which can be removed from the rails by men).
- 231.26 Pushcars.
- 231.27 Box and other house cars without roof hatches or placed in service after October 1, 1966.
- 231.28 Box and other house cars with roof hatches built or placed in service after October 1, 1966.
- 231.29 Road locomotives with corner stairways.
- 231.30 Locomotives used in switching service.
- 231.31 Drawbars for freight cars; standard height.

APPENDIX A TO PART 231—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20102-20103, 20107, 20131, 20301-20303, 21301-21302, 21304; 28 U.S.C. 2461, note; and 49 CFR 1.49.

SOURCE: 33 FR 19663, Dec. 25, 1968, unless otherwise noted.

NOTE: Where rivets or bolts are required in this part 231 a two-piece steel rivet may be used consisting of:

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(a) A solid shank of one-half (1/2) inch minimum diameter steel or material of equal or greater strength having cold forged head on one end, a shank length for material thickness fastened, locking grooves, breakneck groove and pull grooves (all annular grooves) on the opposite end.

(b) A collar of similar material which is cold swaged into the locking grooves forming a head for the opposite end of item (a) after the pull groove section has been removed.

§ 231.0 Applicability and penalties.

(a) Except as provided in paragraphs (b) and (c) of this section, this part applies to all standard gage railroads.

(b) This part does not apply to:

(1) A railroad that operates only on track inside an installation which is not part of the general railroad system of transportation; or

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

(3) Freight and other non-passenger trains of four-wheel coal cars.

(4) Freight and other non-passenger trains of eight-wheel standard logging cars if the height of each car from the top of the rail to the center of the coupling is not more than 25 inches.

(5) A locomotive used in hauling a train referred to in paragraph (b)(4) of this section when the locomotive and cars of the train are used only to transport logs.

(c) Except for the provisions governing uncoupling devices, this part does not apply to Tier II passenger equipment as defined in § 238.5 of this chapter (*i.e.*, passenger equipment operating at speeds exceeding 125 mph but not exceeding 150 mph).

(d) As used in this part, *carrier* means "railroad," as that term is defined below.

(e) *Railroad* means all forms of non-highway ground transportation that run on rails or electromagnetic guideways, including (1) commuter or other short-haul rail passenger service in a metropolitan or suburban area, and (2) high speed ground transportation systems that connect metropolitan areas, without regard to whether they use new technologies not associated with traditional railroads. Such term does not include rapid transit operations within an urban area that are not con-

nected to the general railroad system of transportation.

(f) Any person (an entity of any type covered under 1 U.S.C. 1, including but not limited to the following: a railroad; a manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor) who violates any requirement of this part or causes the violation of any such requirement is subject to a civil penalty of at least \$550 and not more than \$11,000 per violation, except that: penalties may be assessed against individuals only for willful violations, and, where a grossly negligent violation or a pattern of repeated violations has created an imminent hazard of death or injury to persons, or has caused death or injury, a penalty not to exceed \$27,000 per violation may be assessed. Each day a violation continues shall constitute a separate offense. See appendix A to this part for a statement of agency civil penalty policy.

(g) Except as provided in paragraph (b) of this section, § 231.31 also applies to an operation on a 24-inch, 36-inch, or other narrow gage railroad.

[54 FR 33229, Aug. 14, 1989, as amended at 63 FR 11623, Mar. 10, 1998; 64 FR 25660, May 12, 1999; 66 FR 4192, Jan. 17, 2001; 69 FR 30594, May 28, 2004]

§ 231.1 Box and other house cars built or placed in service before October 1, 1966.

Except for box and other house cars that comply with either § 231.27 or § 231.28, each box and other house car shall be equipped to meet the following specifications:

(a) *Handbrake*—(1) *Number*. One efficient handbrake which shall operate in harmony with the power brake installed on the car. Each such handbrake shall (i) provide the same degree of safety as the design shown on plate A, or (ii) provide the same degree of safety as that specified in § 231.27.