

FRA safety appliance defect code section ²		Violation	Willful violation
136.B2	Ladder Tread or Handhold Wrong Dimensions	2,500	5,000
136.C1	Ladder Tread or Handhold Improperly Applied	2,500	5,000
136.C2	Ladder Tread or Handhold Having Wrong Clearance	2,500	5,000
136.C3	Ladder or Handhold Improperly Located	2,500	5,000
136.C4	Ladder Tread or Handhold Obstructed	2,500	5,000
136.C5	Ladder Tread Without Footguards	2,500	5,000
138.A1	Hand or Safety Railing Missing	5,000	7,500
138.A2	Hand or Safety Railing Broken	5,000	7,500
138.A3	Hand or Safety Railing Loose Except by Design	2,500	5,000
138.B1	Hand or Safety Railing Bent	2,500	5,000
138.B2	Hand or Safety Railing Wrong Dimensions	2,500	5,000
138.C1	Hand or Safety Railing Improperly Applied	2,500	5,000
138.C2	Hand or Safety Railing Having Less Than the Required Clearance	2,500	5,000
138.C3	Hand or Safety Railing Improperly Located	2,500	5,000
140.A1	Uncoupling Lever Missing	2,500	5,000
140.A2	Uncoupling Lever Broken or Disconnected	2,500	5,000
140.B1	Uncoupling Lever Bent Will not Safely and Reasonably Function As Intended	2,500	5,000
140.C1	Uncoupling Lever Bracket Bent Lever Will Not Function Properly	2,500	5,000
140.C2	Uncoupling Lever Bracket Broken or Missing	2,500	5,000
140.D1	Uncoupling Lever Wrong Dimension	2,500	5,000
140.D2	Uncoupling Lever With Improper Handle Clearance	2,500	5,000
144.A1	Coupler Missing	5,000	7,500
144.B1	Coupler Height Incorrect	2,500	5,000
144.C1	Coupler Inoperative	2,500	5,000
145.A1	Kick Plates Missing	2,500	5,000
145.A2	Kick Plates Broken	2,500	5,000
145.B1	Kick Plates Wrong Dimensions	2,500	5,000
145.B2	Kick Plates Improper Clearance	2,500	5,000
145.B3	Kick Plates Insecure Or Improperly Applied	2,500	5,000
146.A	Notice or Stencil not Posted on Caboose with Running Boards Removed	500	1,000
146.B	Safe Means not Provided to Clean or Maintain Windows of Caboose	1,000	2,000
231.31	Drawbars, standard height	2,500	5,000

¹ 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 \$27,000 for any violation where circumstances warrant. See 49 CFR part 209, appendix A.

² This schedule uses section numbers from FRA's Safety Appliance Defect Code, a restatement of the CFR text in a reorganized format. For convenience, and as an exception to FRA's general policy, penalty citations will cite the defect code rather than the CFR. FRA reserves the right, should litigation become necessary, to substitute in its complaint the CFR and/or statutory citation in place of the defect code section cited in the penalty demand letter.

[53 FR 52933, Dec. 29, 1988, as amended at 63 FR 11623, Mar. 10, 1998; 66 FR 4193, Jan. 17, 2001]

PART 232—BRAKE SYSTEM SAFETY STANDARDS for FREIGHT and OTHER NON-PASSENGER TRAINS and EQUIPMENT; END-of-TRAIN DEVICES

Subpart A—General

- Sec.
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- 232.3 Applicability.
- 232.5 Definitions.
- 232.7 Waivers.
- 232.9 Responsibility for compliance.
- 232.11 Penalties.
- 232.13 Preemptive effect.
- 232.15 Movement of defective equipment.
- 232.17 Special approval procedure.
- 232.19 Availability of records.
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Subpart B—General Requirements

- 232.101 Scope.

- 232.103 General requirements for all train brake systems.
- 232.105 General requirements for locomotives.
- 232.107 Air source requirements and cold weather operations.
- 232.109 Dynamic brake requirements.
- 232.111 Train handling information.

Subpart C—Inspection and Testing Requirements

- 232.201 Scope.
- 232.203 Training requirements.
- 232.205 Class I brake tests—initial terminal inspection.
- 232.207 Class IA brake tests—1,000-mile inspection.
- 232.209 Class II brake tests—intermediate inspection.
- 232.211 Class III brake tests—trainline continuity inspection.
- 232.213 Extended haul trains.
- 232.215 Transfer train brake tests.
- 232.217 Train brake tests conducted using yard air.
- 232.219 Double heading and helper service.

Subpart D—Periodic Maintenance and Testing Requirements

- 232.301 Scope.
- 232.303 General requirements.
- 232.305 Single car air brake tests.
- 232.307 Modification of the single car air brake test procedures.
- 232.309 Equipment and devices used to perform single car air brake tests.

Subpart E—End-of-Train Devices

- 232.401 Scope.
- 232.403 Design standards for one-way end-of-train devices.
- 232.405 Design and performance standards for two-way end-of-train devices.
- 232.407 Operations requiring use of two-way end-of-train devices; prohibition on purchase of nonconforming devices.
- 232.409 Inspection and testing of end-of-train devices.

Subpart F—Introduction of New Brake System Technology

- 232.501 Scope.
- 232.503 Process to introduce new brake system technology.
- 232.505 Pre-revenue service acceptance testing plan.

APPENDIX A TO PART 232—SCHEDULE OF CIVIL PENALTIES

APPENDIX B TO PART 232—PART 232 PRIOR TO MAY 31, 2001 AS CLARIFIED EFFECTIVE APRIL 10, 2002

AUTHORITY: 49 U.S.C. 20102–20103, 20107, 20133, 20141, 20301–20303, 20306, 21301–21302, 21304; 28 U.S.C. 2461, note; and 49 CFR 1.49.

SOURCE: 66 FR 4193, Jan. 17, 2001, unless otherwise noted.

Subpart A—General**§ 232.1 Scope.**

(a) This part prescribes Federal safety standards for freight and other non-passenger train brake systems and equipment. Subpart E of this part prescribes Federal safety standards not only for freight and other non-passenger train brake systems and equipment, but also for passenger train brake systems. This part does not restrict a railroad from adopting or enforcing additional or more stringent requirements not inconsistent with this part.

(b) Except as otherwise specifically provided in this paragraph or in this part, railroads to which this part applies shall comply with all the require-

ments contained in subparts A through C and subpart F of this part beginning on April 1, 2004. Sections 232.1 through 232.13 and 232.17 through 232.21 of this part will become applicable to all railroads to which this part applies beginning on May 31, 2001. Subpart D of this part will become applicable to all railroads to which this part applies beginning on August 1, 2001. Subpart E of this part will become applicable to all trains operating on track which is part of the general railroad system of transportation beginning on May 31, 2001.

(c) A railroad may request earlier application of the requirements contained in subparts A through C and subpart F of this part upon written notification to FRA's Associate Administrator for Safety. Such a request shall indicate the railroad's readiness and ability to comply with all of the requirements contained in those subparts.

(d) Except for operations identified in § 232.3(c)(1), (c)(4), and (c)(6) through (c)(8), all railroads which are part of the general railroad system of transportation shall operate pursuant to the requirements contained in this part 232 as it existed on May 31, 2001 and included as Appendix B to this part until they are either required to operate pursuant to the requirements contained in this part or the requirements contained in part 238 of this chapter or they elect to comply earlier than otherwise required with the requirements contained in this part or the requirements contained in part 238 of this chapter.

[66 FR 4193, Jan. 17, 2001, as amended at 66 FR 9906, Feb. 12, 2001]

§ 232.3 Applicability.

(a) Except as provided in paragraphs (b) and (c) of this section, this part applies to all railroads that operate freight or other non-passenger train service on standard gage track which is part of the general railroad system of transportation. This includes the operation of circus trains and private cars when hauled on such railroads.

(b) Subpart E of this part, "End-of-Train Devices," applies to all trains operating on track which is part of the