

### § 220.39

(1) The next calendar day inspection, or

(2) The nearest forward point where the radio or wireless communication device can be repaired or replaced.

### § 220.39 Continuous radio monitoring.

Each radio used in a railroad operation shall be turned on to the appropriate channel as designated in § 220.23 and adjusted to receive communications.

### § 220.41 [Reserved]

### § 220.43 Radio communications consistent with federal regulations and railroad operating rules.

Radio communication shall not be used in connection with a railroad operation in a manner which conflicts with the requirements of this part, Federal Communication Commission regulations, or the railroad's operating rules. The use of citizen band radios for railroad operating purposes is prohibited.

### § 220.45 Radio communication shall be complete.

Any radio communication which is not fully understood or completed in accordance with the requirements of this part and the operating rules of the railroad, shall not be acted upon and shall be treated as though not sent.

### § 220.47 Emergency radio transmissions.

An initial emergency radio transmission shall be preceded by the word "emergency," repeated three times. An emergency transmission shall have priority over all other transmissions and the frequency or channel shall be kept clear of non-emergency traffic for the duration of the emergency communication.

### § 220.49 Radio communication used in shoving, backing or pushing movements.

When radio communication is used in connection with the shoving, backing or pushing of a train, locomotive, car, or on-track equipment, the employee directing the movement shall specify the distance of the movement, and the movement shall stop in one-half the remaining distance unless additional in-

### 49 CFR Ch. II (10-1-07 Edition)

structions are received. If the instructions are not understood, the movement shall be stopped immediately and may not be resumed until the misunderstanding has been resolved, radio contact has been restored, or communication has been achieved by hand signals or other procedures in accordance with the operating rules of the railroad.

### § 220.51 Radio communications and signal indications.

(a) No information may be given by radio to a train or engine crew about the position or aspect displayed by a fixed signal. However, a radio may be used by a train crew member to communicate information about the position or aspect displayed by a fixed signal to other members of the same crew.

(b) Except as provided in the railroad's operating rules, radio communication shall not be used to convey instructions which would have the effect of overriding the indication of a fixed signal.

### § 220.61 Radio transmission of mandatory directives.

(a) Each mandatory directive may be transmitted by radio only when authorized by the railroad's operating rules. The directive shall be transmitted in accordance with the railroad's operating rules and the requirements of this part.

(b) The procedure for transmission of a mandatory directive is as follows:

(1) The train dispatcher or operator shall call the addressees of the mandatory directive and state the intention to transmit the mandatory directive.

(2) Before the mandatory directive is transmitted, the employee to receive and copy shall state the employee's name, identification, location, and readiness to receive and copy. An employee operating the controls of moving equipment shall not receive and copy mandatory directives. A mandatory directive shall not be transmitted to employees on moving equipment, if such directive cannot be received and copied without impairing safe operation of the equipment.

(3) A mandatory directive shall be copied in writing by the receiving employee in the format prescribed in the railroad's operating rules.

(4) After the mandatory directive has been received and copied, it shall be immediately repeated in its entirety. After verifying the accuracy of the repeated mandatory directive, the train dispatcher or operator shall then state the time and name of the employee designated by the railroad who is authorized to issue mandatory directives. An employee copying a mandatory directive shall then acknowledge by repeating the time and name of the employee so designated by the railroad.

(5)(i) For train crews, before a mandatory directive is acted upon, the conductor and engineer shall each have a written copy of the mandatory directive and make certain that the mandatory directive is read and understood by all members of the crew who are responsible for the operation of the train. Mandatory directives which have been fulfilled or canceled shall be marked with an "X" or in accordance with the railroad's operating rules, and retained for the duration of the train crew's work assignment.

(ii) For on-track equipment, before a mandatory directive is acted upon, the employee responsible for on-track safety shall have a written copy of the mandatory directive, and make certain that the mandatory directive is acknowledged by all employees who are responsible for executing that mandatory directive. The employee responsible for on-track safety shall retain a copy of the mandatory directive while it is in effect.

(6) A mandatory directive which has not been completed or which does not comply with the requirements of the railroad's operating rules and this part, may not be acted upon and shall be treated as though not sent. Information contained in a mandatory directive may not be acted upon by persons other than those to whom the mandatory directive is addressed.

APPENDIX A TO PART 220—  
RECOMMENDED PHONETIC ALPHABET

- A—ALFA
- B—BRAVO
- C—CHARLIE

- D—DELTA
- E—ECHO
- F—FOXTROT
- G—GOLF
- H—HOTEL
- I—INDIA
- J—JULIET
- K—KILO
- L—LIMA
- M—MIKE
- N—NOVEMBER
- O—OSCAR
- P—PAPA
- Q—QUEBEC
- R—ROMEO
- S—SIERRA
- T—TANGO
- U—UNIFORM
- V—VICTOR
- W—WHISKEY
- X—XRAY
- Y—YANKEE
- Z—ZULU

The letter "ZULU" should be written as "Z" to distinguish it from the numeral "2".

EDITORIAL NOTE: At 63 FR 11621, Mar. 10, 1998, an amendment was published amending footnote 1 to appendix A of part 220. The amendment could not be incorporated because footnote 1 to appendix A of part 220 does not exist in 49 CFR parts 200 to 399, revised as of Oct. 1, 1997.

APPENDIX B TO PART 220—REC-  
COMMENDED PRONUNCIATION OF NU-  
MERALS

To distinguish numbers from similar sounding words, the word "figures" should be used preceding such numbers. Numbers should be pronounced as follows:

Number	Spoken
0 .....	ZERO.
1 .....	WUN.
2 .....	TOO.
3 .....	THUH-REE.
4 .....	FO-WER.
5 .....	FI-YIV.
6 .....	SIX.
7 .....	SEVEN.
8 .....	ATE.
9 .....	NINER.

(The figure ZERO should be written as "0" to distinguish it from the letter "O". The figure ONE should be underlined to distinguish it from the letter "I". When railroad rules require that numbers be spelled, these principles do not apply.)

The following examples illustrate the recommended pronunciation of numerals:

Number	Spoken
44 .....	FO-WER FO-WER.
500 .....	FI-YIV HUNDRED.
1000 .....	WUN THOUSAND.

**Pt. 220, App. C**

**49 CFR Ch. II (10–1–07 Edition)**

Number	Spoken
1600 .....	WUN SIX HUNDRED.
14899 .....	WUN FO-WER ATE NINER NINER.

Number	Spoken
20.3 .....	TOO ZERO DECIMAL THUH-REE.

**APPENDIX C TO PART 220—SCHEDULE OF CIVIL PENALTIES<sup>1</sup>**

Section	Violation	Willful violation
220.9 Requirements for trains .....	\$5,000	\$7,500
220.11 Requirements for roadway workers .....	5,000	7,500
220.21 Railroad Operating rules; radio communications.		
(a) .....	5,000	7,500
(b) .....	2,500	5,000
220.23 Publication of radio information .....	2,500	5,000
220.25 Instruction of employees .....	5,000	7,500
220.27 Identification .....	1,000	2,000
220.29 Statement of letters and numbers .....	1,000	2,000
220.31 Initiating a transmission .....	1,000	2,000
220.33 Receiving a transmission .....	1,000	2,000
220.35 Ending a transmission .....	1,000	2,000
220.37 Voice test .....	5,000	7,500
220.39 Continuous monitoring .....	2,500	5,000
220.41 [Reserved] .....		
220.43 Communication consistent with the rules .....	2,500	5,000
220.45 Complete communications .....	2,500	5,000
220.47 Emergencies .....	2,500	5,000
220.49 Switching, backing or pushing .....	5,000	7,500
220.51 Signal indications .....	5,000	7,500
220.61 Radio transmission of mandatory directives .....	5,000	7,500

[63 FR 47195, Sept. 4, 1998, as amended at 69 FR 30593, May 28, 2004]

**PART 221—REAR END MARKING DEVICE—PASSENGER, COMMUTER AND FREIGHT TRAINS**

**Subpart A—General**

- Sec.
- 221.1 Scope.
- 221.3 Application.
- 221.5 Definitions.
- 221.7 Civil penalty
- 221.9 Waivers.
- 221.11 State regulation.

**Subpart B—Marking Devices**

- 221.13 Marking device display.
- 221.14 Marking devices.
- 221.15 Marking device inspection.
- 221.16 Inspection procedure.
- 221.17 Movement of defective equipment.
- APPENDIX A TO PART 221—PROCEDURES FOR APPROVAL OF REAR END MARKING DEVICES
- APPENDIX B TO PART 221—APPROVED REAR END MARKING DEVICES

<sup>1</sup>A penalty may be assessed against and only for a willful violation. The Administrator reserves the right to assess a penalty

**APPENDIX C TO PART 221—SCHEDULE OF CIVIL PENALTIES**

AUTHORITY: 49 U.S.C. 20103, 20107; 28 U.S.C. 2461, note; and 49 CFR 1.49.

SOURCE: 42 FR 2321, Jan. 11, 1977, unless otherwise noted.

**Subpart A—General**

**§ 221.1 Scope.**

This part prescribes minimum requirements governing highly visible marking devices for the trailing end of the rear car of all passenger, commuter and freight trains. So long as these minimum requirements are met, railroads may adopt additional or more stringent requirements for rear end marking devices.

**§ 221.3 Application.**

(a) Except as provided in paragraph (b) of this section, this part applies to passenger, commuter and freight trains when operated on a standard gage main

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