

rolling stock for the purpose of enhancing its detectability at highway-rail grade crossings. This part does not restrict a freight rolling stock owner or railroad from applying retroreflective material to freight rolling stock for other purposes if not inconsistent with the recognizable pattern required by this part.

#### § 224.3 Applicability.

This part applies to all railroad freight cars and locomotives that operate over a public or private highway-rail grade crossing and are used for revenue or work train service, except:

- (a) Freight rolling stock that operates only on track inside an installation that is not part of the general railroad system of transportation;
- (b) Rapid transit operations in an urban area that are not connected to the general railroad system of transportation;
- (c) Locomotives and passenger cars used exclusively in passenger service; or
- (d) Freight rolling stock that is subject to a reflectorization requirement promulgated by another Federal agency.

#### § 224.5 Definitions.

*Administrator* means the Administrator of the Federal Railroad Administration or the Administrator's delegate.

*Associate Administrator* means the Associate Administrator for Safety, Federal Railroad Administration, or the Associate Administrator's delegate.

*Damaged* means scratched, broken, chipped, peeled, or delaminated.

*Flat car* means a car having a flat floor or deck on the underframe with no sides, ends or roof (including spine cars, articulated and multi-unit intermodal cars).

*Freight rolling stock means:*

(1) Any locomotive subject to Part 229 of this chapter used to haul or switch freight cars (whether in revenue or work train service); and

(2) Any railroad freight car (whether used in revenue or work train service).

*Freight rolling stock owner* means any person who owns freight rolling stock, is a lessee of freight rolling stock, manages the maintenance or use of

freight rolling stock on behalf of an owner or one or more lessors or lessees, or otherwise controls the maintenance or use of freight rolling stock.

*Locomotive* has the meaning assigned by § 229.5 of this chapter, but for purposes of this part applies only to a locomotive used in the transportation of freight or the operation of a work train.

*Obscured* means concealed or hidden (i.e., covered up, as where a layer of paint or dense chemical residue blocks all incoming light); this term does not refer to ordinary accumulations of dirt, grime, or ice resulting from the normal railroad operating environment.

*Person* means 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 an owner, manufacturer, lessor, lessee, or independent contractor.

*Railroad* means all forms of non-highway ground transportation that run on rails or electromagnetic guideways, including high speed ground transportation systems that connect metropolitan areas, without regard to whether they use new technologies not associated with traditional railroads.

*Railroad freight car* has the meaning assigned by § 215.5 of this chapter.

*Tank car* means a rail car, the body of which consists of a tank for transporting liquids.

*Universal Machine Language Equipment Register* means the database containing information on rail equipment maintained by the Association of American Railroads.

*Unqualified Retroreflective Sheeting* means engineering grade sheeting, super engineering grade sheeting (enclosed lens) or high-intensity type sheeting (ASTM Type I, II, III, or IV Sheeting) as described in ASTM International Standard D-4956-04, "Standard Specification for Retroreflective Sheeting for Traffic Control."

*Work train* means a non-revenue service train used for the maintenance and upkeep service of the railroad.