

## § 215.129

- (1) Inoperative; or
- (2) Missing; or
- (f) The car has a missing or broken follower plate.

### § 215.129 Defective cushioning device.

A railroad may not place or continue in service a car if it has a cushioning device that is—

- (a) Broken;
- (b) Inoperative; or
- (c) Missing a part—

unless its sliding components have been effectively immobilized.

## Subpart C—Restricted Equipment

### § 215.201 Scope.

This subpart contains requirements restricting the use of certain railroad freight cars.

### § 215.203 Restricted cars.

(a) This section restricts the operation of any railroad freight car that is—

- (1) More than 50 years old, measured from the date of original construction;
- (2) Equipped with any design or type component listed in appendix A to this part; or
- (3) Equipped with a Duryea underframe constructed before April 1, 1950, except for a caboose which is operated as the last car in a train.

(b) A railroad may not place or continue in service a railroad freight car described in paragraph (a) of this section, except under conditions approved by the Federal Railroad Administrator.

(c) A railroad may petition the Administrator to continue in service a car described in paragraph (a) of this section. Each petition shall be

- (1) Be submitted not less than 90 days before the car is to be operated;
- (2) Be submitted; and
- (3) State or describe the following:
  - (i) The name and principal business address of the petitioning railroad.
  - (ii) The name and address of the entity that controls the operation and maintenance of the car involved.
  - (iii) The number, type, capacity, reporting marks, and car numbers of the cars, their condition, status, and age measured from the date of original construction.

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(iv) The design, type component, or other item that causes the car to be restricted.

(v) The maximum load the cars would carry.

(vi) The maximum speed at which the cars would be operated.

(vii) That each car has been examined and found to be safe to operate under the conditions set forth in the petition.

(viii) The territorial limits within which the cars are to be operated and the name of each railroad that will receive the cars in interchange.

[44 FR 77340, Dec. 31, 1979, as amended at 74 FR 25172, May 27, 2009]

## Subpart D—Stenciling

### § 215.301 General.

The railroad or private car owner reporting mark, the car number, and built date shall be stenciled, or otherwise displayed, in clearly legible letters and numbers not less than seven inches high, except those of the built date which shall not be less than one inch high:

- (a) On each side of each railroad freight car body; and
- (b) In the case of a tank car, in any location that is visible to a person walking at track level beside the car.

### § 215.303 Stenciling of restricted cars.

(a) Each restricted railroad freight car that is described in § 215.205(a) of this part shall be stenciled, or marked—

- (1) In clearly legible letters; and
- (2) In accordance with paragraphs (b) and (c) of this section.

(b) The letter “R” shall be—

- (1) Placed immediately below or to the right of the car number;

- (2) The same color as the reporting mark; and

- (3) The same size as the reporting mark.

(c) The following terms, to the extent needed to completely indicate the basis for the restricted operation of the car, shall be placed on the car following the symbol “R” in letters not less than one inch high:

- (1) Age.
- (2) Coupler.
- (3) Draft.