

shall be performed by a qualified person on each freight car retrofitted with a newly installed ECP brake system prior to placing or using the car in revenue service.

(e) *Modification of single car test standard.* A railroad or a duly authorized representative of the railroad industry may seek modification of the single car test standard approved in accordance with paragraph (b) of this section. The request for modification will be handled and shall be submitted in accordance with the modification procedures contained in §232.307.

(f) *Exceptions.* A freight car equipped with a stand-alone or dual mode ECP brake system is excepted from the single car air brake test procedures contained in §232.305(a). A freight car equipped with a stand-alone ECP brake system is excepted from the single car test requirements contained in §232.305(b)(2).

(g) For purposes of paragraphs (c) and (d) of this section, if a single car air brake test is conducted on a car prior to June 15, 2009, pursuant to the then existing AAR standards, it shall be considered the last single car air brake test for that car, if necessary.

**§232.613 End-of-train devices.**

(a) An ECP–EOT device shall, at a minimum, serve as the final node on the ECP brake circuit, provide a cable

terminal circuit, and monitor, confirm, and report train, brake pipe, and train line cable continuity, cable voltage, brake pipe pressure, and the status of the ECP–EOT device battery charge. The ECP–EOT device shall transmit a status message (EOT Beacon) at least once per second, contain a means of communicating with the HEU, and be equipped with a brake pipe pressure transducer and a battery that charges from the train line cable.

(b) A railroad shall not move or use a freight train equipped with an ECP brake system unless that train is equipped with a functioning ECP–EOT device designed and operated in accordance with this subpart. The ECP–EOT device must be properly connected to the network and to the train line cable at the rear of the train.

(c) A locomotive equipped with ECP brakes can be used in lieu of an ECP–EOT device, provided it is capable of performing all of the functions of a functioning ECP–EOT device.

(d) *Exception.* A freight train operating in ECP brake mode is excepted from the end-of-train device requirements contained in subpart E of this part, provided that it is equipped with an ECP–EOT device complying with this section.

APPENDIX A TO PART 232—SCHEDULE OF CIVIL PENALTIES<sup>1</sup>

Section	Violation	Willful violation
<b>Subpart A—General</b>		
232.15	Movement of power brake defects:	
(a)	Improper movement, general .....	( <sup>1</sup> )
(1)	Failure to make determinations and provide notification of en route defect .....	\$2,500
(b)	Complete failure to tag .....	2,500
(1)	Insufficient tag or record .....	1,000
(2), (4)	Improper removal of tag .....	2,000
(3)	Failure to retain record of tag .....	2,000
(c)	Improper loading or purging .....	2,500
(e)	Improper placement of defective equipment .....	2,500
232.19	Availability of records .....	( <sup>1</sup> )
<b>Subpart B—General Requirements</b>		
232.103	All train brake systems:	
(a)–(c), (h)–(i)	Failure to meet general design requirements .....	2,500
(d)	Failure to have proper percentage of operative brakes from Class I brake test .....	5,000
(e)	Operating with less than 85 percent operative brakes .....	5,000
(f)	Improper use of car with inoperative or ineffective brakes .....	2,500
(g)	Improper display of piston travel .....	2,500
(m)	Failure to stop train with excess air flow or gradient .....	2,500
(n)	Securement of unattended equipment:	
(1)	Failure to apply sufficient number of hand brakes; failure to develop or implement procedure to verify number applied .....	5,000
(2)	Failure to initiate emergency .....	2,500
(3)	Failure to apply hand brakes on locomotives .....	2,500