

(c) At a location where a person designated under § 215.11 is not on duty for the purpose of inspecting freight cars, the inspection required by paragraph (a) shall, as a minimum, be made for those conditions set forth in appendix D to this part.

(d) Performance of the inspection prescribed by this section does not relieve a railroad of its liability under § 215.7 for failure to comply with any other provision of this part.

[45 FR 26710, Apr. 21, 1980]

#### § 215.15 Periodic inspection.

(a) After June 30, 1980, a railroad may not place or continue in service a freight car that has not received an initial periodic inspection in accordance with 49 CFR 215.25, as in effect on October 6, 1976 (41 FR 44044), unless—

(1) The car is a high utilization car built or reconditioned after December 31, 1977; or

(2) The car is a non-high utilization car built or reconditioned after December 31, 1971.

(b) A freight car that has received an initial periodic inspection under paragraph (a) of this section shall be stenciled to so indicate in accordance with 49 CFR 215.11 and appendix C of this part, as in effect on October 6, 1976 (41 FR 44044). This stenciling need not be retained on the car after June 30, 1981.

(c) As used in this section, "high utilization car" means a car—

(1) Specifically equipped to carry trucks, automobiles, containers, trailers, or removable trailer bodies for the transportation of freight; or

(2) Assigned to a train that operates in a continuous round trip cycle between the same two points.

### Subpart B—Freight Car Components

#### § 215.101 Scope.

This subpart contains safety requirements prohibiting a railroad from placing or continuing in service a freight car that has certain defective components.

#### SUSPENSION SYSTEM

#### § 215.103 Defective wheel.

A railroad may not place or continue in service a car, if—

(a) A wheel flange on the car is worn to a thickness of  $\frac{7}{8}$  of an inch, or less, at a point  $\frac{3}{8}$  of an inch above the tread of the wheel;

(b) The height of a wheel flange on the car, from the tread to the top of the flange, is  $1\frac{1}{2}$  inches, or more;

(c) The thickness of a rim of a wheel on the car is  $1\frac{1}{16}$  of an inch, or less;

(d) A wheel rim, flange, plate, or hub area on the car has a crack or break;

(e) A wheel on the car has a chip or gouge in the flange that is  $1\frac{1}{2}$  inches in length and  $\frac{1}{2}$  inch in width, or more;

(f) A wheel on the car has—

(1) A slid flat or shelled spot that is more than  $2\frac{1}{2}$  inches in length; or

(2) Two adjoining flat or shelled spots each of which is more than two inches in length;

(g) A wheel on the car shows evidence of being loose such as oil seepage on the back hub or back plate;

(h) A wheel on the car shows signs of having been overheated as evidenced by a reddish brown discoloration, to a substantially equal extent on both the front and the back face of the rim, that extends on either face more than four inches into the plate area measured from the inner edge of the front or back face of the rim; or,

(i) A wheel on the car has been welded unless the car is being moved for repair in accordance with § 215.9 of this part.

[44 FR 77340, Dec. 31, 1979, as amended at 50 FR 13382, Apr. 4, 1985]

#### § 215.105 Defective axle.

A railroad may not place or continue in service a car, if—

(a) An axle on the car has a crack or is broken;

(b) An axle on the car has a gouge in the surface that is—

(1) Between the wheel seats; and

(2) More than one-eighth inch in depth;

(c) An axle on the car, used in conjunction with a plain bearing, has an end collar that is broken or cracked;

(d) A journal on the car shows evidence of overheating, as evidenced by a