

## Pt. 221, App. C

FRA identification Nos. FRA-PLE-STAR-845-F (flasher) and FRA-PLE-STAR-845-C (steady burn).

2. Manufacturer: Julian A. McDermott Corp., 1639 Stephen Street, Ridgewood, Long Island, NY 11227.

FRA identification Nos. FRA-MEC-MCD-100-C (steady burn), FRA-MEC-MCD-100-F (flasher), FRA-MEC-MCD-300-C (steady burn), and FRA-MEC-MCD-300-F (flasher).

3. Manufacturer: American Electronics, Inc.,<sup>1</sup> 40 Essex Street, Hackensack, NJ 07601.

FRA identification Nos. FRA-DRGW-YANK-300 (portable strobe), FRA-WP-YANK-301R (flashing), FRA-WP-YANK-305R (flashing), and FRA-WP-YANK-306R (steady burn).

### PART II—APPROVED DEVICES TESTED FOR OR BY RAIL CARRIERS

1. Carrier: Atchison, Topeka & Santa Fe Railway Co., Technical Research & Development Department, 1001 Northeast Atchison Street, Topeka, Kans. 66616.

Manufacturer: Trans-Lite, Inc., P.O. Box 70, Milford, Conn. 06460.

FRA identification Nos. FRA-ATSF-TL-875-150, FRA-ATSF-TL-875-60, FRA-ATSF-TL-875-4412, and FRA-ATSF-TL-200.

2. Carrier: Amtrak—National Railroad Passenger Corporation, 400 North Capitol Street NW., Washington, DC 20001.

Manufacturer: (a) Trans-Lite, Inc., P.O. Box 70, Milford, Conn. 06460.

FRA identification Nos. FRA-ATK-TL-3895-1, FRA-ATK-TL-4491-2, FRA-ATK-TL-4491-3, and FRA-ATK-TL-FM-4491-1.

Manufacturer: (b) Luminator Division of Gulftron Industries, Inc., 1200 East Dallas North Parkway, Plano, Tex. 75074.

FRA identification No. FRA-ATK-LUM-0101890-001.

Manufacturer: (c) Whelen Engineering Co., Inc., Deep River, Conn. 06417.

FRA identification No. FRA-ATK-WHE-WERT-12.

[43 FR 36447, Aug. 17, 1978]

### APPENDIX C TO PART 221—SCHEDULE OF CIVIL PENALTIES<sup>1</sup>

Section	Violation	Willful violation
221.13 Marking device display:		
(a) device not present, not displayed, or not properly illuminated	\$5,000	\$7,500
(d) device too close to rail .....	1,000	2,000
221.14 Marking devices: Use of unapproved or noncomplying device .....	2,500	5,000

<sup>1</sup>NOTE: Yankee Metal Products Corp. previously produced these devices.

## 49 CFR Ch. II (10–1–13 Edition)

Section	Violation	Willful violation
221.15 Marking device inspection:		
(a) Failure to inspect at crew change .....	2,500	5,000
(b), (c) improper inspection .....	2,500	5,000
221.16 Inspection procedure:		
(a) Failure to obtain protection .....	5,000	7,500
(b) Improper protection	2,500	5,000
221.17 Movement of defective equipment .....	( <sup>1</sup> )	( <sup>1</sup> )

<sup>1</sup>A penalty may be assessed against an individual only for a willful violation. The Administrator reserves the right to assess a penalty of up to \$105,000 for any violation where circumstances warrant. See 49 CFR part 209, appendix A. Where the conditions for movement of defective equipment set forth in § 221.17 of this part are not met, the movement constitutes a violation of § 221.13 of this part.

[53 FR 52930, Dec. 29, 1988, as amended at 69 FR 62818, Oct. 28, 2004; 73 FR 79702, Dec. 30, 2008; 77 FR 24420, Apr. 24, 2012]

## PART 222—USE OF LOCOMOTIVE HORNS AT PUBLIC HIGHWAY-RAIL GRADE CROSSINGS

### Subpart A—General

Sec.

222.1 What is the purpose of this regulation?

222.3 What areas does this regulation cover?

222.5 What railroads does this regulation apply to?

222.7 What is this regulation's effect on State and local laws and ordinances?

222.9 Definitions.

222.11 What are the penalties for failure to comply with this regulation?

222.13 Who is responsible for compliance?

222.15 How does one obtain a waiver of a provision of this regulation?

222.17 How can a State agency become a recognized State agency?

### Subpart B—Use of Locomotive Horns

222.21 When must a locomotive horn be used?

222.23 How does this regulation affect sounding of a horn during an emergency or other situations?

222.25 How does this rule affect private highway-rail grade crossings?

222.27 How does this rule affect pedestrian grade crossings?

### Subpart C—Exceptions to the Use of the Locomotive Horn

222.31 [Reserved]

#### SILENCED HORNS AT INDIVIDUAL CROSSINGS

222.33 Can locomotive horns be silenced at an individual public highway-rail grade