

§ 232.611

49 CFR Ch. II (10–1–14 Edition)

specific procedures developed in accordance with the requirements related to the movement of defective equipment contained in this subpart. These procedures shall be made available to FRA upon request.

(2) Each railroad operating freight trains in ECP brake mode shall submit to FRA's Associate Administrator for Safety a list of locations on its system where ECP brake system repairs will be performed. A railroad shall notify FRA's Associate Administrator for Safety in writing 30 days prior to any change in the locations designated for such repairs. A sufficient number of locations shall be identified to ensure compliance with the requirements related to the handling of defective equipment contained in this part.

(k) *Exceptions:* All freight cars and trains that are specifically identified, operated, and handled in accordance with this section are excepted from the movement of defective equipment requirements contained in §232.15(a)(2), (a)(5) through (a)(8), and 232.103(d) and (e).

§ 232.611 Periodic maintenance.

(a) In addition to the maintenance requirements contained in §232.303(b) through (d), a freight car equipped with an ECP brake system shall be inspected and repaired before being released from a shop or repair track to ensure the proper and safe condition of the following:

(1) ECP brake system wiring and brackets;

(2) ECP brake system electrical connections; and

(3) Car mounted ECP brake system components.

(b) *Single car air brake test procedures.* Prior to placing a freight car equipped with an ECP brake system into revenue service, a railroad or a duly authorized representative of the railroad industry shall submit a procedure for conducting periodic single car air brake tests to FRA for its approval pursuant to §232.17.

(c) Except as provided in §232.303(e), a single car air brake test conducted in accordance with the procedure submitted and approved in accordance with paragraph (b) of this section shall be performed by a qualified person on a

freight car equipped with an ECP brake system whenever any of the events identified in §232.305 occur, except for those paragraphs identified in paragraph (f) of this section.

(d) A single car air brake test conducted in accordance with the procedure submitted and approved in accordance with paragraph (b) of this section 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 PENALTIES¹

Section	Violation	Willful violation
Subpart A—General		
232.15 Movement of power brake defects:		
(a) Improper movement, general	(1)	(1)
(11) Failure to make determinations and provide notification of en route defect	\$2,500	\$5,000
(b) Complete failure to tag	2,500	5,000
(1) Insufficient tag or record	1,000	2,000
(2), (4) Improper removal of tag	2,000	4,000
(3) Failure to retain record of tag	2,000	4,000
(c) Improper loading or purging	2,500	5,000
(e) Improper placement of defective equipment	2,500	5,000
232.19 Availability of records	(1)	(1)
Subpart B—General Requirements		
232.103 All train brake systems:		
(a)–(c), (h)–(i) Failure to meet general design requirements	2,500	5,000
(d) Failure to have proper percentage of operative brakes from Class I brake test	5,000	7,500
(e) Operating with less than 85 percent operative brakes	5,000	7,500
(f) Improper use of car with inoperative or ineffective brakes	2,500	5,000
(g) Improper display of piston travel	2,500	5,000
(m) Failure to stop train with excess air flow or gradient	2,500	5,000
(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	7,500
(2) Failure to initiate emergency	2,500	5,000
(3) Failure to apply hand brakes on locomotives	2,500	5,000
(4) Failure to adopt or comply with procedures for securing unattended locomotive	5,000	7,500
(o) Improper adjustment of air regulating devices	2,500	5,000
(p) Failure to hold supervisors jointly responsible	2,500	5,000
232.105 Locomotives:		
(a) Air brakes not in safe and suitable condition	1,000–5,000	2,000–7,500
(b) Not equipped with proper hand or parking brake	5,000	7,500
(c)(1) Failure to inspect/repair hand or parking brake	2,500	5,000
(2) Failure to properly stencil, tag, or record	2,000	4,000
(d) Excess leakage from equalizing reservoir	2,500	5,000
(e) Improper use of feed or regulating valve braking	2,500	5,000
(f) Improper use of passenger position	2,500	5,000
(g) Brakes in operative condition	2,500	5,000
232.107 Air sources/cold weather operations:		
(a)(1), (2) Failure to adopt or comply with monitoring program for yard air sources	5,000	7,500
(3) Failure to maintain records	2,500	5,000
(b) Failure to blow condensation	2,500	5,000
(c) Use of improper chemicals	5,000	7,500
(d) Failure to equip or drain yard air reservoirs	2,500	5,000
(e) Failure to adopt or comply cold weather operating procedures	5,000	7,500
232.109 Dynamic brakes:		
(a) Failure to provide information	5,000	7,500
(b) Failure to make repairs	5,000	7,500
(c) Failure to properly tag	2,500	5,000
(d) Failure to maintain record of repair	2,000	4,000
(e) Improper deactivation	2,500	5,000
(f) Improper use of locomotive as controlling unit	2,500	5,000
(g) Locomotive not properly equipped with indicator	2,500	5,000