brakes is made and the train is walked to determine that the brakes on each car in the train properly apply; 

(13) Each brake disc is free of any crack in accordance with the manufacturer’s specifications or, if no specifications exist, free of any crack to the extent that the design permits; 

(14) If the equipment is provided with a brake indicator, the brake indicator operates as intended; and 

(15) The communication of brake pipe pressure changes at the rear of the train is verified, which may be accomplished by observation of an application and release of the brakes on the last car in the train. 

(h) Records. A record shall be maintained of each Class I brake test performed. 

(1) This record may be maintained in writing or electronically, provided FRA has access to the record upon request. 

(2) The written or electronic record must contain the following information: 

(i) The date and time that the Class I brake test was performed; 

(ii) The location where the test was performed; 

(iii) The identification number of the controlling locomotive of the train; 

(iv) The total number of cars inspected during the test; and 

(v) The signature or electronic identification of the inspector. 

(3) This record shall be maintained at the place where the inspection is conducted or at one central location and shall be retained for at least 92 days. 

(i) A long-distance, intercity passenger train that misses a scheduled calendar day Class I brake test due to a delay en route may proceed to the point where the Class I brake test was scheduled to be performed. A Class I brake test shall be completed at that point prior to placing the train back in service. 

(j) In addition to complying with all Class I brake test requirements performed by a qualified maintenance person as contained in paragraphs (a) through (i) of this section, railroads operating passenger equipment that is not designed to permit the visual observation of the brake actuation and release without the inspector going on, under, or between the equipment in accordance with §238.231(b) shall perform an additional inspection. At a minimum, the additional inspection requirement for such equipment shall include all of the following: 

(1) An additional inspection by a qualified maintenance person of all items and components contained in paragraphs (g)(1) through (g)(15) of this section; 

(2) The additional inspection shall be conducted at an interval not to exceed five (5) in-service days and shall be conducted while the equipment is over an inspection pit or on a raised inspection track; and 

(3) A record of the additional inspection shall be maintained pursuant to the requirements contained in paragraph (h) of this section. This record can be combined with the Class I brake test record. 

§ 238.317 Class II brake test.

(a) A Class II brake test shall be performed on a passenger train when any of the following events occurs:

(1) Whenever the control stand used to control the train is changed; except if the control stand is changed to facilitate the movement of a passenger train from one track to another within a terminal complex while not in passenger service. In these circumstances, a Class II brake test shall be performed prior to the train’s departure from the terminal complex with passengers;

(2) Prior to the first morning departure of each commuter or short-distance intercity passenger train where a Class I brake test remains valid as provided in §238.315(a)(1);

(3) When previously tested units (i.e., cars that received a Class I brake test within the previous calendar day and have not been disconnected from a source of compressed air for more than four hours) are added to the train;

(4) When cars or equipment are removed from the train; and

(5) When an operator first takes charge of the train, except for face-to-face relief.

(b) A Class II brake test shall be performed by a qualified person or a qualified maintenance person.

(c) Except as provided in §238.15, a railroad shall not use or haul a passenger train in passenger service from a terminal or yard where a Class II brake test has been performed, or was required by this part to have been performed, with any of the brakes cut-out, inoperative, or defective.

(d) In performing a Class II brake test on a train, a railroad shall determine that:

(1) The inspection of the set and release of the brakes shall be completed by walking the train to directly observe the set and release of each brake, if the railroad determines that such a procedure is safe.