

(1) Describe the means and procedures used for instruction of the various classes of affected employees;

(2) State the frequency of instruction and the basis for determining that frequency;

(3) Include a schedule for completing the initial instruction of employees who are already employed when the program begins;

(4) Begin within 30 days after November 21, 1994, or the date of commencing operations, whichever is later; and

(5) Provide for initial instruction of each employee hired after the program begins.

(c) Each railroad to which this part applies is authorized to retain by electronic recordkeeping its program for periodic instruction of its employees on operating rules provided that the re-

quirements stated in §217.9(e)(1) through (5) of this part are satisfied.

[39 FR 41176, Nov. 25, 1974, as amended at 59 FR 43071, Aug. 22, 1994]

§ 217.13 Information collection.

(a) The information collection requirements in this part have been reviewed by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1980, Public Law 96-511, and have been assigned OMB control number 2130-0035.

(b) The information collection requirements are found in the following sections:

- (1) Section 217.7.
- (2) Section 217.9.
- (3) Section 217.11.

[50 FR 7919, Feb. 27, 1985. Redesignated and amended at 59 FR 43071, Aug. 22, 1994]

APPENDIX A TO PART 217—SCHEDULE OF CIVIL PENALTIES¹

Section	Violation	Willful violation
217.7 Operating rules:		
(a)	\$2,500	\$5,000
(b)	\$2,000	\$5,000
(c)	\$2,500	\$5,000
217.9 Operational tests and inspections:		
(a) Program	\$5,000	\$7,500
(b) Record of program	2,500	\$5,000
(c) Record of tests and inspections	\$5,000	\$7,500
(d) Annual summary	\$5,000	\$7,500
217.11 Program of instruction on operating rules:		
(a)	\$5,000	\$7,500
(b)	\$2,500	\$5,000

¹ 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 \$22,000 for any violation where circumstances warrant. See 49 CFR part 209, appendix A.

[59 FR 43071, Aug. 22, 1994, as amended at 63 FR 11620, Mar. 10, 1998]

PART 218—RAILROAD OPERATING PRACTICES

Subpart A—General

- Sec.
- 218.1 Purpose.
- 218.3 Application.
- 218.5 Definitions.
- 218.7 Waivers.
- 218.9 Civil penalty.
- 218.11 Filing, testing, and instruction.

Subpart B—Blue Signal Protection of Workers

- 218.21 Scope.
- 218.22 Utility employee.
- 218.23 Blue signal display.
- 218.24 One-person crew.

- 218.25 Workers on a main track.
- 218.27 Workers on track other than main track.
- 218.29 Alternate methods of protection.
- 218.30 Remotely controlled switches.

Subpart C—Protection of Trains and Locomotives

- 218.31 Scope.
- 218.35 Yard limits.
- 218.37 Flag protection.
- 218.39 Hump operations.
- 218.41 Noncompliance with hump operations rule.

Subpart D—Prohibition Against Tampering With Safety Devices

- 218.51 Purpose.