49 CFR Ch. II (10-1-02 Edition)

§ 240.1

- 240.113 Individual's duty to furnish data on prior safety conduct as an employee of a different railroad.
- 240.115 Criteria for consideration of prior safety conduct as a motor vehicle operator.
- 240.117 Criteria for consideration of operating rules compliance data.
- 240.119 Criteria for consideration of data on substance abuse disorders and alcohol/ drug rules compliance.
- 240.121 Criteria for vision and hearing acuity data.
- 240.123 Criteria for initial and continuing education.
- 240.125 Criteria for testing knowledge.
- 240.127 Criteria for examining skill performance
- 240.129 Criteria for monitoring operational performance of certified engineers.

Subpart C—Implementation of the Certification Process

- 240.201 Schedule for implementation.
- 240.203 Determinations required as a prerequisite to certification.
- 240.205 Procedures for determining eligibility based on prior safety conduct.
- 240.207 Procedures for making the determination on vision and hearing acuity.
- 240.209 Procedures for making the determination on knowledge.
- 240.211 Procedures for making the determination on performance skills.
- 240.213 Procedures for making the determination on completion of training program.
 240.215 Retaining information supporting
- determinations. 240.217 Time limitations for making deter-
- 240.217 Time limitations for making determinations.
- 240.219 Denial of certification.
- 240.221 Identification of qualified persons.
- 240.223 Criteria for the certificate.
- 240.225 Reliance on qualification determinations made by other railroads.
- 240.227 Reliance on qualification requirements of other countries.
- 240.229 Requirements for joint operations territory.
- 240.231 Requirements for locomotive engineers unfamiliar with physical characteristics in other than joint operations.

Subpart D—Administration of the Certification Programs

- 240.301 Replacement of certificates.
- 240.303 Operational monitoring requirements.
- 240 305 Prohibited conduct
- 240.307 Revocation of certification.
- 240.309 Railroad oversight responsibilities.

Subpart E—Dispute Resolution Procedures

240.401 Review board established.

- 240 403 Petition requirements
- 240.405 Processing qualification review petitions.
- 240.407 Request for a hearing.
- 240.409 Hearings.
- 240.411 Appeals.
- APPENDIX A TO PART 240—SCHEDULE OF CIVIL PENALTIES
- APPENDIX B TO PART 240—PROCEDURES FOR SUBMISSION AND APPROVAL OF LOCO-MOTIVE ENGINEER QUALIFICATION PROGRAMS
- APPENDIX C TO PART 240—PROCEDURES FOR OBTAINING AND EVALUATING MOTOR VEHI-CLE DRIVING RECORD DATA
- APPENDIX D TO PART 240—IDENTIFICATION OF STATE AGENCIES THAT PERFORM NATIONAL DRIVER REGISTER CHECKS
- APPENDIX E TO PART 240—RECOMMENDED PROCEDURES FOR CONDUCTING SKILL PERFORMANCE TESTS
- APPENDIX F TO PART 240—MEDICAL STAND-ARDS GUIDELINES

AUTHORITY: 49 U.S.C. 20103, 20107, 20135; 49 CFR 1 49

SOURCE: 56 FR 28254, June 19, 1991, unless otherwise noted.

Subpart A—General

§240.1 Purpose and scope.

- (a) The purpose of this part is to ensure that only qualified persons operate a locomotive or train.
- (b) This part prescribes minimum Federal safety standards for the eligibility, training, testing, certification and monitoring of all locomotive engineers to whom it applies. This part does not restrict a railroad from adopting and enforcing additional or more stringent requirements not inconsistent with this part.
- (c) The qualifications for locomotive engineers prescribed in this part are pertinent to any person who operates a locomotive, unless that person is specifically excluded by a provision of this part, regardless of the fact that a person may have a job classification title other than that of locomotive engineer.

 $[56\ {\rm FR}\ 28254,\ {\rm June}\ 19,\ 1991,\ {\rm as\ amended}\ {\rm at}\ 64\ {\rm FR}\ 60988,\ {\rm Nov.}\ 8,\ 1999]$

§ 240.3 Application and responsibility for compliance.

- (a) Except as provided in paragraph (b) of this section, this part applies to all railroads.
- (b) This part does not apply to—