

Section	Violation	Willful violation
220.39 Continuous monitoring	2,500	5,000
220.41 [Reserved]
220.43 Communication consistent with the rules	2,500	5,000
220.45 Complete communications	2,500	5,000
220.47 Emergencies	2,500	5,000
220.49 Switching, backing or pushing	5,000	7,500
220.51 Signal indications	5,000	7,500
220.61 Radio transmission of mandatory directives	5,000	7,500

PART 221—REAR END MARKING DEVICE—PASSENGER, COMMUTER AND FREIGHT TRAINS

Subpart A—General

- Sec.
- 221.1 Scope.
- 221.3 Application.
- 221.5 Definitions.
- 221.7 Civil penalty
- 221.9 Waivers.
- 221.11 State regulation.

Subpart B—Marking Devices

- 221.13 Marking device display.
- 221.14 Marking devices.
- 221.15 Marking device inspection.
- 221.16 Inspection procedure.
- 221.17 Movement of defective equipment.
- APPENDIX A TO PART 221—PROCEDURES FOR APPROVAL OF REAR END MARKING DEVICES
- APPENDIX B TO PART 221—APPROVED REAR END MARKING DEVICES
- APPENDIX C TO PART 221—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20103, 20107 and 49 CFR 1.49.

SOURCE: 42 FR 2321, Jan. 11, 1977, unless otherwise noted.

Subpart A—General

§ 221.1 Scope.

This part prescribes minimum requirements governing highly visible marking devices for the trailing end of the rear car of all passenger, commuter and freight trains. So long as these minimum requirements are met, railroads may adopt additional or more stringent requirements for rear end marking devices.

§ 221.3 Application.

- (a) Except as provided in paragraph
- (b) of this section, this part applies to passenger, commuter and freight trains

when operated on a standard gage main track which is part of the general railroad system of transportation.

(b) This part does not apply to:

- (1) A railroad that operates only trains consisting of historical or antiquated equipment for excursion, educational, or recreational purposes;
- (2) A train that operates only on track inside an installation which is not part of the general railroad system of transportation;
- (3) Rapid transit operations in an urban area that are not connected with the general railroad system of transportation.
- (4) A railroad that operates only one train at any given time.

[42 FR 2321, Jan. 11, 1977, as amended at 53 FR 28600, July 28, 1988]

§ 221.5 Definitions.

As used in this part:

- (a) *Train* means a locomotive unit or locomotive units coupled, with or without cars, involved in a railroad operation conducted on a main track. It does not include yard movements.
- (b) *Commuter train* means a short haul passenger train operating on track which is part of the general railroad system of transportation, within an urban, suburban or metropolitan area. It includes a passenger train provided by an instrumentality of a State or political subdivision thereof.
- (c) *Locomotive* means a self-propelled unit of equipment designed for moving other equipment in revenue service and includes a self-propelled unit designed to carry freight or passenger traffic, or both.
- (d) *Main track* means a track, other than an auxiliary track, extending through yards or between stations, upon which trains are operated by timetable or train order or both, or the