the on-axis beam candela, the beam candela at the ±15 degree points in the horizontal plane, the beam candela at the ±15 degree point in the vertical plane, and the chromaticity coordinates, are maintained by the railroad and are available for inspection by the FRA at a designated location which is identified in the submission; 
(iv) Marking devices of this type installed in the operating environment and the external light source used to illuminate them shall consist of the same type and model of components as were used in the samples tested for purposes of this approval submission. 
(d) Unless otherwise qualified, acknowledgement of the receipt of the submission required by this subsection shall constitute approval of the device. The FRA reserves the right to review the test records maintained by the railroad, or to test independently any device submitted for approval under these procedures, and to disapprove the use of such device at any time if its performance fails to comply with 49 CFR 221.15.
(c) Whenever a railroad elects to use a marking device which has been previously approved by the FRA, and is included in the current list in appendix B to this part, the submission shall contain the following information:
1. The marking device model designation as it appears in appendix B,
2. A certification, signed by the chief operating officer of the railroad that—
(i) Marking devices of this type installed in the operating environment shall consist of the same type and model of components as were used in the samples tested for the original approval.
(d) Each submission for approval of a marking device shall be filed with the Office of Standards and Procedures, Office of Safety, Federal Railroad Administration, 1200 New Jersey Avenue, S.E., Washington, DC 20590.

APPENDIX B TO PART 221—APPROVED REAR END MARKING DEVICES

PART I—APPROVED DEVICES TESTED FOR OR BY MANUFACTURERS

1. Manufacturer: Star Headlight & Lantern Co., 168 West Main Street, Honeoye Falls, NY 14472.
   FRA identification Nos. FRA-PLE-STAR-846-F (flashing) and FRA-PLE-STAR-845-C (steady burn).
   FRA identification Nos. FRA-MEC-MCD-100-C (steady burn), FRA-MEC-MCD-100-F (flashing), FRA-MEC-MCD-300-C (steady burn), and FRA-MEC-MCD-300-F (flashing).

   FRA identification Nos. FRA-DRGW-YANK-300 (portable strobe), FRA-WP-YANK-301R (flashing), FRA-WP-YANK-305R (flashing), and FRA-WP-YANK-306R (steady burn).

PART II—APPROVED DEVICES TESTED FOR OR BY RAIL CARRIERS

   Manufacturer: Trans-Lite, Inc., P.O. Box 70, Milford, Conn. 06460.
   Manufacturer: (a) Trans-Lite, Inc., P.O. Box 70, Milford, Conn. 06460.
   Manufacturer: (b) Luminator Division of Gulfton Industries, Inc., 1200 East Dallas North Parkway, Plano, Tex. 75074.
   FRA identification No. FRA-ATK-LUM-0101890-001.
   Manufacturer: (c) Whelen Engineering Co., Inc., Deep River, Conn. 06417.
   FRA identification No. FRA-ATK-WHER-12.

[43 FR 36447, Aug. 17, 1978]

APPENDIX C TO PART 221—SCHEDULE OF CIVIL PENALTIES

<table>
<thead>
<tr>
<th>Section</th>
<th>Violation</th>
<th>Willful violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>221.13</td>
<td>(a) device not present, not displayed, or not properly illuminated</td>
<td>$5,000</td>
</tr>
<tr>
<td>221.14</td>
<td>(d) device too close to rail</td>
<td>$1,000</td>
</tr>
<tr>
<td>221.15</td>
<td>(a) Failure to inspect at crew change</td>
<td>$2,500</td>
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<tr>
<td>221.16</td>
<td>(b), (c) Improper inspection</td>
<td>$2,500</td>
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<tr>
<td>221.17</td>
<td>(a) Failure to obtain protection</td>
<td>$5,000</td>
</tr>
<tr>
<td>221.18</td>
<td>(b) Improper protection</td>
<td>$2,500</td>
</tr>
</tbody>
</table>

1 NOTE: Yankee Metal Products Corp. previously produced these devices.