§ 213.201 Scope.

This subpart prescribes minimum requirements for certain track appliances and track-related devices.

§ 213.205 Derails.

(a) Each derail shall be clearly visible.
(b) When in a locked position, a derail shall be free of lost motion which would prevent it from performing its intended function.
(c) Each derail shall be maintained to function as intended.
(d) Each derail shall be properly installed for the rail to which it is applied. (This paragraph (d) is applicable September 21, 1999.)

Subpart F—Inspection

§ 213.231 Scope.

This subpart prescribes requirements for the frequency and manner of inspecting track to detect deviations from the standards prescribed in this part.

§ 213.233 Track inspections.

(a) All track shall be inspected in accordance with the schedule prescribed in paragraph (c) of this section by a person designated under §213.7.
(b) Each inspection shall be made on foot or by riding over the track at a speed that allows the person making the inspection to visually inspect the track structure for compliance with this part. However, mechanical, electrical, and other track inspection devices may be used to supplement visual inspection. If a vehicle is used for visual inspection, the speed of the vehicle may not be more than 5 miles per hour when passing over track crossings and turnouts, otherwise, the inspection vehicle speed shall be at the sole discretion of the inspector, based on track conditions and inspection requirements. When riding over the track in a vehicle, the inspection will be subject to the following conditions—
(1) One inspector in a vehicle may inspect up to two tracks at one time provided that the inspector’s visibility remains unobstructed by any cause and that the second track is not centered more than 30 feet from the track upon which the inspector is riding;
(2) Two inspectors in one vehicle may inspect up to four tracks at a time provided that the inspectors’ visibility remains unobstructed by any cause and that each track being inspected is centered within 39 feet from the track upon which the inspectors are riding;
(3) Each main track is actually traversed by the vehicle or inspected on foot at least once every two weeks, and each siding is actually traversed by the vehicle or inspected on foot at least once every month. On high density commuter railroad lines where track time does not permit an on track vehicle inspection, and where track centers are 15 foot or less, the requirements of this paragraph (b)(3) will not apply; and
(4) Track inspection records shall indicate which track(s) are traversed by the vehicle or inspected on foot as outlined in paragraph (b)(3) of this section.
(c) Each track inspection shall be made in accordance with the following schedule—

<table>
<thead>
<tr>
<th>Class of track</th>
<th>Type of track</th>
<th>Required frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excepted track and Class 1, 2, and 3 track</td>
<td>Main track and sidings</td>
<td>Weekly with at least 3 calendar days interval between inspections, or before use, if the track is used less than once a week, or twice weekly with at least 1 calendar day interval between inspections, if the track carries passenger trains or more than 10 million gross tons of traffic during the preceding calendar year.</td>
</tr>
<tr>
<td>Excepted track and Class 1, 2, and 3 track</td>
<td>Other than main track and sidings</td>
<td>Monthly with at least 20 calendar days interval between inspections.</td>
</tr>
<tr>
<td>Class 4 and 5 track</td>
<td></td>
<td>Twice weekly with at least 1 calendar day interval between inspections.</td>
</tr>
</tbody>
</table>
§ 213.241 Inspection records.

(a) Each owner of track to which this part applies shall keep a record of each inspection required to be performed on that track under this subpart.

(b) Each record of an inspection under §§ 213.4, 213.119, 213.233, and 213.235 shall be prepared on the day the inspection is made and signed by the person making the inspection. Records shall specify the track inspected, date of inspection, location and nature of any deviation from the requirements of this part, and the remedial action taken by the person making the inspection. The owner shall designate the location(s) where each original record shall be maintained for at least one year after the inspection covered by the record. The owner shall also designate one location, within 100 miles of each state in which they conduct operations, where copies of records which apply to those operations are either maintained or can be viewed following 10 days notice by the Federal Railroad Administration.