creates a slipping, falling, or fire haz-

§ 214.521 Flagging equipment for on-
track roadway maintenance ma-
chines and hi-rail vehicles.

Each on-track roadway maintenance
machine and hi-rail vehicle shall have
on board a flagging kit that complies
with the operating rules of the railroad if:
(a) The equipment is operated over
trackage subject to a railroad oper-
ating rule requiring flagging; and
(b)(1) The equipment is not part of a
roadway work group; or
(2) The equipment is the lead or trail-
ing piece of equipment in a roadway
work group operating under the same
occupancy authority.

[69 FR 8839, Feb. 26, 2004]

§ 214.523 Hi-rail vehicles.

(a) The hi-rail gear of all hi-rail vehi-
cles shall be inspected for safety at
least annually and with no more than
14 months between inspections. Tram,
wheel wear, and gage shall be measured
and, if necessary, adjusted to allow the
vehicle to be safely operated.
(b) Each employer shall keep records
pertaining to compliance with para-
graph (a) of this section. Records may
be kept on forms provided by the em-
ployer or by electronic means. The em-
ployer shall retain the record of each in-
spection until the next required in-
spection is performed. The records
shall be made available for inspection
and copying during normal business
hours by representatives of FRA and
States participating under part 212 of
this chapter. The records may be kept
on the hi-rail vehicle or at a location
designated by the employer.
(c) A new hi-rail vehicle shall be
equipped with:
(1) An automatic change-of-direction
alarm or backup alarm that provides
an audible signal at least three seconds
long and distinguishable from the sur-
rounding noise; and
(2) An operable 360-degree intermit-
tent warning light or beacon mounted
on the outside of the vehicle.
(d)(1) The operator of a hi-rail vehicle
shall check the vehicle for compliance
with this subpart, prior to using the ve-
hicle at the start of the operator’s
work shift.
(2) A non-complying condition that
cannot be repaired immediately shall
be tagged and dated in a manner pre-
scribed by the employer and reported
to the designated official.
(3) Non-complying automatic change-
of-direction alarms, backup alarms,
and 360-degree intermittent warning
lights or beacons shall be repaired or
replaced as soon as practicable within
seven calendar days.

§ 214.525 Towing with on-track road-
way maintenance machines or hi-
rail vehicles.

(a) When used to tow pushcars or
other maintenance-of-way equipment,
each on-track roadway maintenance
machine or hi-rail vehicle shall be
equipped with a towing bar or other
coupling device that provides a safe
and secure attachment.
(b) An on-track roadway mainte-
nance machine or hi-rail vehicle shall
not be used to tow pushcars or other
maintenance-of-way equipment if the
towing would cause the machine or hi-
rail vehicle to exceed the capabilities
of its braking system. In determining
the limit of the braking system, the
employer must consider the track
grade (slope), as well as the number
and weight of pushcars or other equip-
ment to be towed.

§ 214.527 On-track roadway mainte-
nance machines; inspection for
compliance and schedule for re-
pairs.

(a) The operator of an on-track road-
way maintenance machine shall check
the machine components for compli-
ance with this subpart, prior to using
the machine at the start of the opera-
tor’s work shift.
(b) Any non-complying condition
that cannot be repaired immediately
shall be tagged and dated in a manner
prescribed by the employer and re-
ported to the designated official.
(c) The operation of an on-track road-
way maintenance machine with a
non-complying condition shall be gov-
erned by the following requirements:
(1) An on-track roadway maintenance
machine with headlights or work lights