

Section	Violation	Willful violation
Subpart B—Use of Locomotive Horns		
§ 222.21 Use of locomotive horn		
(a) Failure to sound horn at grade crossing	\$5,000	\$7,500
Failure to sound horn in proper pattern	1,000	3,000
(b) Failure to sound horn at least 15 seconds and less than 1/4-mile before crossing	5,000	7,500
Sounding the locomotive horn more than 25 seconds before crossing	1,000	2,000
Sounding the locomotive horn more than 1/4-mile in advance of crossing	1,000	2,000
§ 222.33 Failure to sound horn when conditions of § 222.33 are not met	5,000	7,500
§ 222.45 Routine sounding of the locomotive horn at quiet zone crossing	5,000	7,500
§ 222.49 (b) Failure to provide Grade Crossing Inventory Form information	2,500	5,000
§ 222.59 (d) Routine sounding of the locomotive horn at a grade crossing equipped with wayside horn	5,000	7,500

¹ A penalty may be assessed against an individual only for a willful violation. The Administrator reserves the right to assess a penalty of up to \$100,000 for any violation where circumstances warrant. See 49 CFR part 209, appendix A.

[71 FR 47634, Aug. 17, 2006, as amended at 73 FR 79702, Dec. 30, 2008. Redesignated at 74 FR 46394, Sept. 9, 2009]

PART 223—SAFETY GLAZING STANDARDS—LOCOMOTIVES, PASSENGER CARS AND CABOOSES

Subpart A—General

- Sec.
- 223.1 Scope.
- 223.3 Application.
- 223.5 Definitions.
- 223.7 Responsibility.

Subpart B—Specific Requirements

- 223.8 Additional requirements for passenger equipment.
- 223.9 Requirements for new or rebuilt equipment.
- 223.11 Requirements for existing locomotives.
- 223.13 Requirements for existing cabooses.
- 223.15 Requirements for existing passenger cars.
- 223.17 Identification of equipped locomotives, passenger cars and cabooses.
- APPENDIX A TO PART 223—CERTIFICATION OF GLAZING MATERIALS
- APPENDIX B TO PART 223—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20102–20103, 20133, 20701–20702, 21301–21302, 21304; 28 U.S.C. 2461, note; and 49 CFR 1.49.

Subpart A—General

§ 223.1 Scope.

This part provides minimum requirements for glazing materials in order to protect railroad employees and railroad passengers from injury as a result

of objects striking the windows of locomotives, caboose and passenger cars.

[44 FR 77352, Dec. 31, 1979]

§ 223.3 Application.

- (a) This part applies to railroads that operate rolling equipment on standard gauge track that is a part of the general railroad system of transportation.
- (b) This part does not apply to—
 - (1) Locomotives, cabooses, and passenger cars that operate only on track inside an installation that is not part of the general railroad system of transportation;
 - (2) Rapid transit operations in an urban area that are not connected with the general railroad system of transportation.
 - (3) Locomotives, passenger cars and cabooses that are historical or antiquated equipment and are used only for excursion, educational, recreational purposes or private transportation purposes.
 - (4) Locomotives that are used exclusively in designated service as defined in § 223.5(m).

[44 FR 77352, Dec. 31, 1979, as amended at 53 FR 28600, July 28, 1988]

§ 223.5 Definitions.

- As used in this part—
 - Administrator* means the Administrator of the Federal Railroad Administration or the Administrator’s delegate.
 - Caboose* means a car in a freight train intended to provide transportation for crewmembers.
 - Certified glazing* means a glazing material that has been certified by the