

§215.11

(3) A tag or card bearing the words "bad order" or "home shop for repairs" and containing the following information, shall be securely attached to each side of the car—

- (i) The reporting mark and car number;
- (ii) The name of the inspecting railroad;
- (iii) The inspection location and date;
- (iv) The nature of each defect;
- (v) Movement restrictions;
- (vi) The destination for shopping or repair; and
- (vii) The signature of a person designated under §215.11.

(b)(1) The tag or card required by paragraph (a)(3) of this section may only be removed from the car by a person designated under §215.11 of this part.

(2) A record or copy of each tag or card attached to or removed from a car shall be retained for 90 days and, upon request, shall be made available within 15 calendar days for inspection by FRA or State inspectors.

(3) Each tag or card removed from a car shall contain a notification stating the date, location, reason for its removal, and the signature of the person who removed it from the car. These recordkeeping requirements have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

(c) Movement of a freight car under paragraph (a) of this section may be made only for the purpose of effecting repairs. If the car is empty, it may not be placed for loading. If the car is loaded, it may not be placed for unloading unless unloading is consistent with determinations made and restrictions imposed under paragraph (a)(1) of this section and—

(1) The car is consigned for a destination on the line of haul between the point where the car was found defective and the point where repairs are made; or

(2) Unloading is necessary for the safe repair of the car.

(d) Nothing in this section authorizes the movement of a freight car subject to a Special Notice for Repairs unless the movement is made in accordance

49 CFR Ch. II (10–1–01 Edition)

with the restrictions contained in the Special Notice.

[44 FR 77340, Dec. 31, 1979; 45 FR 26710, Apr. 21, 1980]

§215.11 Designated inspectors.

(a) Each railroad that operates railroad freight cars to which this part applies shall designate persons qualified to inspect railroad freight cars for compliance with this part and to make the determinations required by §215.9 of this part.

(b) Each person designated under this section shall have demonstrated to the railroad a knowledge and ability to inspect railroad freight cars for compliance with the requirements of this part and to make the determinations required by §215.9 of this part.

(c) With respect to designations under this section, each railroad shall maintain written records of:

- (1) Each designation in effect; and
- (2) The basis for each designation.

[45 FR 26710, Apr. 21, 1980]

§215.13 Pre-departure inspection.

(a) At each location where a freight car is placed in a train, the freight car shall be inspected before the train departs. This inspection may be made before or after the car is placed in the train.

(b) At a location where an inspector designated under §215.11 is on duty for the purpose of inspecting freight cars, the inspection required by paragraph (a) of this section shall be made by that inspector to determine whether the car is in compliance with this part.

(c) At a location where a person designated under §215.11 is not on duty for the purpose of inspecting freight cars, the inspection required by paragraph (a) shall, as a minimum, be made for those conditions set forth in appendix D to this part.

(d) Performance of the inspection prescribed by this section does not relieve a railroad of its liability under §215.7 for failure to comply with any other provision of this part.

[45 FR 26710, Apr. 21, 1980]

§215.15 Periodic inspection.

(a) After June 30, 1980, a railroad may not place or continue in service a