



HERZOG

Program for Certification of Railroad Conductors

49 CFR Part 242

(March 06,2023)

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Section 1: General Information & Election

New Mexico Rail Runner Express
100 Iron Ave SE
Albuquerque, NM 87102

New Mexico Rail Runner Express is adopting and hereby ratifies the program as prepared and administered by Herzog Transit Services Inc. on behalf of New Mexico Rail Runner Express.

The following two individuals will be the railroad(s) point of contact for this program:

Contact Person 1 (Program Administrator):

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Approval of Program (242.103(b)(1))

Herzog Transit Services Inc. accepts the responsibility to train and initially certify and recertify persons to be qualified conductor/passenger conductors. The initial training program is described in section four of this program.

The Herzog Transit Services Inc. elects to:

Educate previously untrained persons to be certified Conductors.

Recertify Conductors previously certified by other railroads.

Classes of Service (242.107(b))

Conductors must be certified in the appropriate class of service. Conductors must have an appropriate certificate in their possession while working as a certified conductor and must display that certificate when requested by a company officer, FRA representative, or State Representative. [The Transportation Manager](#) will issue certificates for the following classes of service:

Conductor

Passenger Conductor

Passenger Conductor

Passenger conductor has also received emergency preparedness training under 49 CFR Part 239. Railroads choosing to certify Passenger Conductors must fulfill all requirements of 49 CFR Part 239.

Qualified Instructor

A person who has demonstrated, pursuant to the Railroad's written program, an adequate knowledge of the subjects under instruction and, where applicable, has the necessary operating experience to effectively instruct in the field, and has the following qualifications:

1. Is a certified conductor under this part; and
2. Has been selected as such by a designated railroad officer, in concurrence with the designated employee representative, where present; or
3. In the absence of concurrence provided in paragraph (2) of this definition, has a minimum of 12 months of service working as a train service employee.

If a railroad does not have designated employee representation, then a person employed by the Railroad need not comply with paragraphs (2) or (3) of this definition to be a qualified instructor.

SECTION 2: Training Persons Previously Certified

Continuing Education (242.119(l))

The [Herzog Transit Services Inc.](#) shall provide for the continuing education of certified Conductors to ensure that each Conductor maintains the necessary knowledge concerning safety, operating rules and practices, familiarity with physical characteristics, and all applicable Federal regulations.

To remain certified, each certified Conductor will be required to attend a mandatory recertification class of instruction and evaluation once every three years, not to exceed 36-month intervals. The class duration will depend on the conditions below:

- Railroads operating only under conditions requiring stopping within half the range of vision – **8 hours** will be conducted in a classroom environment within the triennial certification period.
- Railroads operating under conditions requiring stopping within half the range of vision and one or more additional methods of operation – **16 hours**.

Training sessions will include documented (e.g., signature sheet, exams, etc.) company safety meetings and periodic rules training. Training environments include classroom training, computer-based training, film or multi-media presentations, and on-job-training (OJT) based scenarios. All training will be documented.

The 36-month certification period will include training on the following mandatory topics:

- Safety Rules
- Operating Rules
- Hazardous Materials (when applicable)
- Applicable Federal Regulations
- Timetable Instructions and System Special Instructions
- General Orders, Safety Bulletins
- Physical Characteristics (Territory Specific)
- Use of Applicable Job Aids

Subject matter will include new or updated rules and regulations as required. The introduction of new technology, new procedures, equipment, or significant changes in operations will occur in safety and quality improvement classes during the continuing education training of conductors.

Use of Simulators

This Railroad will utilize simulators, computer-based training, or e-learning in the classroom portion of the training. Electronic-based education is included in the time allocated to the classroom portion of the training
Section 2 (continued)

Training of Conductors with Expired Certificates

Conductors whose certifications have lapsed will be required to satisfy all the necessary certification components specified in Sections 2 & 3 of this certification program. Certification will require a period of on-the-job training and territorial familiarization based on a qualified instructor's evaluation. A contractor can provide training and testing described in this section. The Railroad will ensure that training provided by a contractor meets the minimum requirements of this section.

Maintaining Physical Characteristics 242.119(J)

Persons shall be considered to have maintained physical characteristics familiarity by one of two ways of regularly traversing a territory:

1. On a territory that does not include a signalized method of operation, the Conductor must make a least **One round trip** within the preceding 24 months.
2. On a territory that does include a signalized method of operation, the Conductor must make a least **one round trip** within the preceding 12 months.

Familiarization training will be required when a Conductor has been absent from traversing a territory **at least once in the preceding 12 months** **Once** on railroads that operate under conditions that include signalized methods of operation.

Territory Qualifications (242.301)

No employee will be permitted to perform conductor service until he or she is qualified for that territory. Territory qualification is required to perform service as a conductor. If a conductor is called to serve as a conductor, they are instructed to contact their supervisor before performing such service on routes they lack territory familiarity.

The program administrator or designated supervisor will track territory qualification. Each program administrator or designated supervisor will determine the territorial review and training requirements depending on the employee's experience and complexity to provide the Conductor with the requisite knowledge to assure railroad safety. Complexity factors such as track speed, signal systems, main track authority(s), grade, etc., are considered for determining trip requirements. The trip requirements will be in writing, with a minimum standard of **One round trips** established for the territory. The written requirements will be made known to employees, and those requirements will be stated in writing in the railroad's timetable or special

instructions. If a conductor reports to duty and lacks main track territorial qualification, he or she shall be supported

Section 2 (continued)

by an assistant who is a certified employee and meets the territorial qualification requirements for the main track, physical characteristics, and is not an assigned crew member.

If a conductor reports to duty and was previously qualified on the main track, but his/her qualification has expired, the "assistant" can be an assigned crew member other than the locomotive engineer who meets the territorial qualification requirement for main track physical characteristics.

If a conductor is called and lacks territorial qualification on-other-than-main track and the assistance of a certified employee is not practicable; the Conductor must reference an appropriate job aid to satisfy this requirement.

An assistant is not required if the movement is on a section of the main track with an average grade of less than 1% over three continuous miles, and

1. The maximum distance operated will not exceed one mile, or
2. The maximum authorized timetable speed for any operation on the track being traversed does not exceed 20 MPH, or
3. Movement is entirely on other than main track (track governed by GCOR 6.28), or
4. Timetable method of operation requires all movements to proceed at Restricted Speed.

Procedure to Familiarize Conductors on New Territory

In situations where there is no available means to afford conductors the opportunity to obtain the operating skills and physical characteristics knowledge of a section of track, i.e., train operations are nonexistent [Herzog Transit Services Inc.](#) elects to use hi-rail equipment or a light locomotive as the Conductor's vehicle to initially observe and experience the physical characteristics of the new territory.

Following this initial training, the Conductor will be tested on the operating instructions and physical characteristics of the territory, i.e., track speeds; methods of operation; timetable, and special instructions. Before the Conductor's first solo trip, a supervisor qualified on the territory must ensure the territorial qualification of the Conductor.

SECTION 3: Testing and Evaluating Persons Previously Certified

This section details the manner in which knowledge & skills concerning operating rules, practices, familiarization with physical characteristics of the territory, relevant Federal safety rules, and vision and hearing acuity are tested and evaluated. The subject matter is presented in a classroom format.

Knowledge Testing

Passenger Conductors will be required to participate in written examinations with a combined total of at least 100 questions and obtain a passing score of 90%. A Physical Characteristics exam of at least 30 questions requiring a score of at least 90% will also be administered. Rules exams will be conducted by a Qualified Instructor or a designated official without open reference books or other materials except to the degree the person being tested on his or her ability to use such reference books or materials. Examination questions concerning signal identification/definitions must be passed with a score of 100%.

The person (s) being tested will be provided the opportunity to consult with a supervisory employee possessing territorial qualifications to explain a question. [If the conductor fails the examination, the exam will be re-taken within 15 days. The conductor will be given two attempts to pass the exam as per their Labor Union Agreement.](#)

These examinations will include the following subject matter:

- Safety Rules
- Operating Rules
- Timetable Instructions
- Applicable Federal Regulations
- Physical Characteristics
- Use of Applicable Job Aids
- Hazardous Materials (where applicable)

Vision and Hearing Acuity Testing

Certified employees will have their vision and hearing acuity checked before certification or recertification. The Medical Examiner of the Railroad or designated medical facility will be responsible for administering the required vision and hearing acuity testing prior to the Conductor's recertification date. Notification of results that fall within the approved limits of §242.117 (Vision and Hearing Acuity) will be made by means of a vision/hearing approval form.

Conductors whose hearing or vision acuity does not meet the standards required by §242.117 (Vision and Hearing Acuity) can request a further medical evaluation to determine that person's ability to perform as a

Conductor safely. Ophthalmologic referral, field testing, or other practical color testing can be utilized depending on the experience of the examinee. The Railroad will

Section 3 (continued)

provide its medical examiner with a copy of applicable regulation, including all appendices and pertinent information regarding the testing. After consultation with a railroad officer, the medical examiner can conclude that despite not meeting the required threshold(s), the person has the ability to safely perform the duties as a Conductor and will be certified as a Conductor with such certification conditioned on any necessary special restrictions the medical examiner determines in writing.

[Herzog Transit Services Inc.](#) is utilizing the ASLRRA field visions program for employees not meeting the color vision requirements. If the Railroad utilizes a different field vision plan, it must be included in the program as an additional appendix.

Records

Records of each Conductor's knowledge and vision/hearing acuity test results will be maintained and available upon request.

Prior safety conduct as an employee of a different railroad

A railroad relying on another railroad's certification must determine that:

1. The prior certification is still valid.
2. The prior certification was for the same type of service as the certification being issued.
3. The person has received training on the physical characteristics of the new territory.
4. The person has demonstrated the necessary knowledge concerning the Railroad's operating rules.

A contractor can provide training and testing described in this section. The Railroad will ensure that training provided by a contractor meets the minimum requirements of this section.

SECTION 4: Training, Testing and Evaluating Persons Not Previously Certified

The Railroad will provide a program of classroom and OJT training for persons seeking certification as a Conductor, who has had previous rail industry experience (Train Service, MOW, Mechanical, etc.) and will provide additional training for candidates with no previous rail experience. The program administrator or designee will evaluate each candidate's previous training, (e.g., engineering employee previously qualified on railroad operating rules,) with experience and will make minor adjustments to the training curriculum. However, the below stated hours of training must not be altered without FRA approval. Records on each candidate's training will be maintained and available upon request.

With Previous Rail Industry Experience not certified

1. The Railroad will conduct hearing and vision acuity testing on candidates with previous rail industry experience. Results of hearing and vision acuity testing that has been conducted within 366 days of the Railroad's certification decision will be used to comply with this requirement.
2. Prior safety conduct and other pertinent data from employee personnel files will be reviewed by the Program Administrator to determine safe working habits. The employee's driving record will also be reviewed by the program administrator for signs of substance abuse.
3. Employees who have operating experience will be required to satisfy all the components required for certification specified in Sections 2 through 3 of this certification program. Certification will require a period of on-the-job training and territorial familiarization based on a qualified instructor's evaluation. The instructor must consider the prior experience and unique characteristics of the territory before certification.

Conductor Training Without Previous Rail Industry Experience

Conductor candidates will have their hearing and vision acuity checked prior to certification. The exam must be conducted within 366 days prior to the certification decision.

Classroom Training

Designated instructors will conduct classroom training. This instruction is delivered in the classroom and field settings. Training will be a combination of Instructor-led lectures, classroom discussions, as well as field demonstrations, and situational exercises where applicable. PowerPoint and videos will be used under the direction of a qualified instructor. This instruction will be provided by an instructor, qualified supervisor and/or a certified conductor in the field. The training curriculum has been approved by the Program Administrator.

Training is focused on operating rules and practices, timetable and special instructions, equipment inspections, federal safety rules, railroad safety rules, safe train movement, train handling, and switching safety.

- Railroads operating only under conditions requiring stopping within half the range of vision – will require **40 hours** of classroom training.

*Classroom training will include the following subject matter (**See Appendix B**):

1. Safety Rules - **8** hours
2. Operating Rules -**20** hours
3. Timetable Instructions - **4** hours
4. Applicable Federal Regulations - **1** hour
5. Physical Characteristics - **4** hours
6. Use of Applicable Job Aids - **2** hours
7. Passenger Train Emergency Preparedness- **1** hours

Examinations will be conducted periodically during each segment of instruction. In addition to the successful completion of each segment, a final certification examination will be required of not less than **100** questions and are required to obtain a passing score of **90%**. Examination questions concerning track authority and signal identification/definitions must be passed with a score of **100%**.

On-the-job Training (See Appendix B)

Herzog Transit Services Inc. Certified Passenger Conductor will be responsible for the evaluation of skills, rules compliance, and knowledge of physical characteristics of the students under their supervision during on-the-job training. The Program Administrator will ensure that conductor trainees have all the relevant materials, such as operating rules and safety rules available for reference. An HTSI Transportation Supervisor will review and evaluate the task check-off forms submitted daily. The Program Administrator will verify and record the number of hours in order to meet the minimum standards. Any deficiencies identified during any evaluation will be reviewed with the student conductor. Task Check-Off sheets (**see Appendix B**) will be utilized to track the student's training and proficiency level for each task performed in the field. A final evaluation by an HTSI Transportation Supervisor will be required.

A conductor can acquire familiarity of the Physical Characteristics through the following methods:

- Hyrail
- Video
- Head-end ride

The minimum OJT requirements are as follows:

- Railroads operating under conditions requiring stopping within half the range of vision and one or more additional methods of operation – **100 hours** of on-the-job task training.

Successful completion of all final examinations and field evaluations will allow for the issuance of a certificate and promotion of a candidate to the Conductor position. Candidates failing to obtain a passing score of 90% on a certification exam will not be permitted to work as a Conductor until successfully completing a re-examination., [An employee failing to satisfactorily complete every phase of the Conductor Training Program and/or failure to satisfactorily pass the final examination with a second final examination provided within fifteen \(15\) days from the date of the first examination. The Employee will be disqualified from the program, as per their Labor Union agreement.](#)

SECTION 5: Monitoring the Operational Performance of Certified Conductors

Certified Conductors will be given a minimum of one (1) unannounced operating rules compliance test each calendar year that monitors one or more of the following: CFR 242.123

1. Handling hand-operated switches and fixed derails, including:
 - Main track switches
 - Crossover switches
 - Yard and Industry switches
2. Securing equipment
3. Leaving equipment in the clear
4. Shoving or pushing movement protection

Certified Conductors who are not given an unannounced compliance test in a calendar year at a minimum will receive an unannounced compliance test within 30 days of a return to Conductor service, and the Railroad will maintain a written record indicating:

- The date that the Conductor stopped performing service that requires certification
- The date that the Conductor returned to performing service that requires certification, and
- The date that the unannounced compliance test was performed

In the event that it finds deficiencies with a Conductor's performance during an unannounced compliance test, the Railroad will take one or more of the following actions:

- Revocation of Federal certification when applicable
- Application of company discipline/remedial training as appropriate

SECTION 6: Procedures for the Routine Administration of the Conductor Certification Program

This final Section contains a summary of how [Herzog Transit Services Inc](#) will implement the various specific aspects of the regulatory provisions related to the routine administration of its certification program for conductors.

Certification determinations by the [Herzog Transit Services Inc](#) shall be made per 242.109 [Herzog Transit Services Inc](#) will determine that:

- The person meets the eligibility requirements of 242.111(Prior Safety Conduct as a Motor Vehicle Operator), 242.113 (Prior Safety Conduct as an Employee of a Different Railroad), 242.115 (Substance Abuse Disorders and Alcohol Drug Rules Compliance), and 242.403 (Criteria for Revoking Certification) If the records indicate an incident(s) occurred within the time specified, the candidate will be referred to the Drug and Alcohol Counselor (DAC). The counselor must advise the railroad of the results of the DAC evaluation as it relates to certification eligibility.
- The person meets the vision and hearing acuity standards of 242.117 (Vision and Hearing Acuity)
- The person has the necessary knowledge, as demonstrated by completing tests that meet the requirements of 242.121 (Knowledge Testing)
- Where a person has not been previously certified, that person has completed a training program that meets the requirements of 242.119 (Training).
- Where a person is being recertified, that person has completed the requirements necessary for recertification. 242.119(l)

* [Herzog Transit Services Inc](#) shall adhere to the time limitations described in 242.201.

Prior Safety conduct record (242.111)	366 days
Motor Vehicle (242.113)	366 days
Vision and hearing acuity	366 days
Knowledge exams	12 months
Reliance on another railroad certification	36 months
Issue certificate	within 30 days of a decision to certify.

***Although multiple time determinations are allowed for certification, it is recommended the “lookback” period of 366 days is utilized for simplification.**

The program administrator shall maintain a list identifying each person designated as a certified conductor. The list shall indicate the type of service each person is authorized to perform and the date of the railroads’

certification decision. The list shall be updated annually. [Herzog Transit Services Inc](#) shall issue a certificate to each person that it has designated as a certified conductor.

Section 6 (continued)

Review and Comment on Adverse Prior Safety Conduct – 242.109(d)

When evaluating a conductor or conductor candidate prior safety conduct [Herzog Transit Services Inc](#) shall not consider conduct that (1) occurred prior to the effective date of 49 CFR 242; or (2) occurred at a time other than that specifically provided for in sections 242.111(motor vehicle-36 month), 242.115 (substance abuse-60 month) or 242.403 (Revocations).

[Herzog Transit Services Inc](#) shall provide a candidate for certification or recertification a reasonable opportunity to review and comment in writing on any record which contains information concerning the person's prior safety conduct, including information pertinent to determinations required under 242.115, if conductor candidate believes the record contains information that could render the person ineligible for certification.

The opportunity for comment shall be afforded to the person prior to railroad rendering its eligibility decision based on that information. Program Administrator shall retain any responsive comment in accordance with 242.203 (supporting information-records).

Prior Safety Conduct as Motor Vehicle Operator – 242.111

Prior to certification or recertification, each affected employee or conductor candidate will have motor vehicle record request forms, or the conductor or conductor candidate will present the motor vehicle records to the Program Administrator. These documents will be submitted to the Program Administrator releasing employees driving record from the appropriate state(s) and federal agencies.

Conductor candidates who are determined to have active substance abuse disorders will be ineligible to hold a certificate during evaluation and any required treatment.

If the candidate has not reported the incident as required in 242.111 and has not received an evaluation, the candidate will be withheld from service pending the determination of the Drug and Alcohol Counselor (DAC).

Any incidents within the last 36 months will be acted upon as follows:

The individual will be referred to a DAC for evaluation and is required to furnish any other records concerning counseling or treatment for confidential review.

If the DAC determines the candidate has an active substance abuse disorder, the conductor or conductor candidate shall be ineligible to hold certification or be considered for recertification pending the completion of the treatment prescribed by the DAC, return-to-duty testing and follow up testing as required in Part 219. If the

DAC determines in writing that the conductor or conductor candidate has been evaluated and does not have an active substance abuse disorder, the candidate can be reinstated for consideration of certification.

Section 6 (continued)

Substance Abuse Disorders and Alcohol and Drug Rules Compliance – 242.115

Prior to certification or recertification, the Designated Person will review internal documentation or documentation from previous DOT employes for 60 months prior to review to ensure each affected conductor candidate does not have a substance abuse disorder regarding 219.101 and 219.102 violations. If there is a motor vehicle violation, follow the above Part 242.111 procedures.

If the review identifies a substance abuse disorder, the conductor or conductor candidate must provide additional information stating the completion of a treatment program confirmed by a Substance Abuse Professional (SAP) or must be sent to a SAP for evaluation of 219.101 or 219.102 violations.

Conductor or conductor candidates who are determined to have active substance abuse disorders regarding 219.102 violations will be ineligible to hold a certificate during evaluation and any required treatment. Part 219.101 violations require a certification revocation, must be evaluated, complete a treatment program and cannot hold a certificate for 9 months from the date of the violation.

Conductor or conductor candidates who complete the training program will have to complete a negative return to duty test and any follow up testing prescribed by the SAP for up to 60 months.

The Designated Person will review records to ensure all evaluations and treatments have been completed.

Hearing and Vision – 242.117

Conductors who do not meet the minimum acuity standards set forth in § 242.117 will not be certified. Conductors who require corrective lenses and/or hearing aid(s) to meet minimum acuity standards must properly wear such device(s) while working. Results of the examinations will be forwarded to [Herzog Transit Services Inc](#) Chief Medical Officer or his/her designee who will determine if the employee or conductor candidate meets the hearing and vision acuity requirements and will so advise the Program Administrator.

Conductors who are tested and found to have vision and/or hearing acuity levels below the minimum acceptable standards will be withheld from service pending a review of their case by the medical examiner. Employees or conductor candidates who fail the clinical color vision test will be afforded to opportunity to take a color vision field test in conformity with federal regulations.

Training – 242.119

Conductors and Conductors Trainees will be required to successfully complete ongoing testing and training as specified in Sections 2, and 4. These sections (2, 3 and 4) list the subject matter to be tested and trained on. The parameters of taking the exams along with the testing requirements are provided in detail in sections 3 and 4. All [Herzog Transit Services Inc](#) conductors will be required to complete the training requirements listed in Section 2 of this program. All conductor candidates will be required to complete the training requirement listed in Section 4 of this program.

Knowledge Training - 242.121

[Herzog Transit Services Inc](#) will provide continuing education training for its conductors to ensure that every Conductor continues the necessary knowledge concerning railroad safety, operating rules and practices, as well as familiarity with physical characteristics and compliance with applicable Federal safety rules. The use of examinations will ensure that conductors are knowledgeable in the areas of safety, operating rules, mechanical condition of equipment, timetable instruction, power brake law regulations, physical characteristics of the railroad, and federal safety rules. These examinations will test the certified Employee's ability to use reference books and materials and retain the knowledge of rules and Federal regulations. These examinations are conducted in conjunction with the training described in Sections Two and Four and will be objective in nature, administered in written format. Tests taken in an electronic format will have to be approved by the program administrator.

Prior Safety Conduct as an Employee at a Different Railroad - 242.125

Persons with prior railroad history will be required to supply [Herzog Transit Services Inc](#) with a record of their compliance with operating rules by contacting, in writing, the former railroad Program Administrator using a Service Record Request Form (**See Appendix C**). This record of their service will be delivered to the current Railroad's Program Administrator. The record will include information pertaining to compliance or noncompliance regarding prior safety conduct as a motor vehicle operator § 242.111, substance abuse disorders and alcohol drug rules compliance § 242.115, and information regarding certificate revocation § 240.407. The Railroad must ensure the person's prior certification is valid under § 242.201. In the event a candidate has never been a railroad employee, the Railroad shall ensure they have never been employed by another railroad.

Certificate Components – 242.207

The Railroad will issue certificates to all individuals meeting the requirements of this program.

Certificates will remain at a minimum:

- Identify the railroad or parent company that is issuing it;
- Indicate that the Railroad has determined that the person to whom it is being issued has been determined to be eligible to perform as a Conductor or as a Passenger Conductor.

- Identify the person to whom it is being issued (i.e., the person's name, employee identification number, the year of birth, and either a physical description or photograph of the person);
- Identify any conditions or limitations, including the type of service or conditions to address vision or hearing acuity deficiencies restricting the person's operational authority.
- Show the **effective date** of each certification held;
- Be signed by an individual designated in accordance with paragraph (b) of this Section; and
- Be of sufficiently small size to permit being carried in an ordinary pocket wallet.

The Railroad authorizes the following individuals to sign certificates:

- Transportation Manager
- Program Administrator
- Transportation Supervisor

Replacement of Certificates-242.211

In the event a certificate is lost, stolen, or mutilated prior to or during a tour of duty, the Conductor will be required to inform the appropriate supervisor of the loss. The Conductor must obtain a temporary replacement certificate, which identifies the individual to whom it is issued. Temporary replacement certificates can be issued electronically under the authority of a designated supervisor. It will not be valid for more than 30 days.

Criteria for Revocation of Certification - 242.403

A certified conductor who has demonstrated a failure to comply with Federal regulations CFR 242.403 paragraph (e) (1-11) of this Section shall have his or her certification suspended pending further investigation. [Transportation Managers or program administrator will issue](#) certification suspension letters, letters of ineligibility, scheduling revocation hearings, delivering waivers, and issuing any revocation letters. The applicable transportation manager is responsible for holding the revocation hearing, making the revocation decision, and providing that final determination to the Field Administration Center.

Process for Revocating Certification -242.407

[Herzog Transit Services Inc](#) upon notification of reliable information regarding a person's qualification will immediately suspend the certification. The person in question will be verbally notified with a written notification within 96 hours of the reason for the suspension, the pending revocation and an opportunity of a hearing. The person in question will be given the opportunity to waive the right to a hearing in writing. A hearing will be conducted within 10 days of the date of suspension of the certification unless a waiver of hearing is signed by the person in question. Within 10 days after the close of the record, a written decision shall be

served on the person. [Herzog Transit Services Inc](#) will conduct Certification Revocation Hearings and Company Disciplinary Hearings concurrently. If the Railroad denies a person certification or recertification, the basis for denial shall be in writing.

Section 6 (continued)

Joint Operations Territory

Conductors operating on a joint operations territory controlled by another railroad will be required to complete the qualification/familiarization requirements of the foreign carrier for that segment. This will include taking a written examination of specific operating rules and physical characteristics of the foreign line track segment administered by the certifying Railroad. To ensure that the foreign engineers are duly certified, the Railroad will require a list of certified conductors from the employing Railroad. The foreign conductor will be knowledge tested to determine:

- Knowledge of the Railroad's operating rules; State number of questions **100** and passing score **90%**
- Training on necessary operating skills concerning the joint operations; and
- Familiarity with the physical characteristics of the joint operation territory with a minimum of **One** qualifying **round** trip(s).

APPENDIX A
Training Curriculum

Core Elements for Classroom Training

Operating Rules (GCOR & NMRX RR Timetable)

- ❖ Timetables and Special Instructions
- ❖ Part 219 – Drug and Alcohol
- ❖ Part 228 - Hours of Service
- ❖ Part 227 - Hearing Conservation
- ❖ Part 220 - Electronic Devices Training
- ❖ Part 218 Subpart F – Human Factor Rules/Job Safety Briefings
- ❖ Part 172.7 - Hazmat and Security Awareness (if applicable)
- ❖ Part 238 – Passenger Equipment Safety Standards (for Passenger Conductor only)
- ❖ Part 239 – Passenger Train Emergency Preparedness (for Passenger Conductor only)

Safety Rule Book

- ❖ Personal Protective Equipment
- ❖ Safe Job Procedures
- ❖ Situational Awareness

Air Brake and Train Handling Rules

- ❖ Air Brake Tests
- ❖ Equipment Securement

Physical Characteristics

- ❖ Job Aids and its use
 - Track Profile (Main Track – Other Than Main Track)
 - Permanent Close Clearances
 - Derails
 - Timetable and/or Special Instructions (Job Aid)

Administrative Duties (switch lists, HOS records, and requirements, delay reports, etc.)

Emergency Procedures (crossing collisions, injuries, derailments, etc.)

Initial Field Training by Subject Matter Expert – Core Work Practice Training Elements

Getting on and off equipment (mounting, dismounting, crossing through, riding, etc.)

Railcar and equipment inspections

Signaling (night/day)

Radio Procedures

Identification, inspection, and use of switches

Identification, inspection, and use of derails

Walking or standing foul of the track

Safe handling and use of fusees

Air brake system (inspection and tests)

Coupling air hoses (changing air hoses, gaskets, etc.)

Identification, inspection, and use of handbrakes

Adjusting drawbars

Opening, closing, and replacement of knuckles and pins

Switching and handling cars

Securement of unattended equipment

Red Zone/Three-point protection/Set and Centered

Protecting shoves

Identification and application of fouling points

Passenger Equipment Safety Standards (for Passenger Conductor ONLY)

Passenger Train Emergency Preparedness (for Passenger Conductor ONLY)

APPENDIX B
On-the-Job Training Guidelines & Task Check-Off Sheets

Passenger Conductor Critical Skills Evaluation / OJT Sheet

Employee Name:

Date:

Train #:

Circle One: Skills Evaluation

On the Job Training

General Responsibilities	Rating
On Time for Duty	
Appearance	
Job Briefing	
Possession of Required Rule Books	
Required Equipment (Keys, PPE, Flashlight, etc..)	
Radio Battery Charged	
Electronic Device Procedures	
Proper Watch/Accuracy (30 Seconds)	

Radio Rules	Rating
Ending Transmissions	
Mandatory Directives	
Repetition	
Receive/Void	
Enroute Restriction (Form A, Form B, Form C)	
Grade Crossing Restriction	

Pre-Trip Equipment Inspection	Rating
Marker Lights	
Interior Lights	
PA System	
Heating/AC System	
Door Functionality	
General Cleanliness	
Hand Brakes	
Class II Brake Test	

Signaling	Rating
Hand/Arm Signals (Direction, Brake Test)	
Job Brief - Switching Between Hand and Radio Signals	

Enroute Responsibilities	Rating
Repeating Signals	
Requirement to Remind Engineer of Restrictions	
On-Board Announcements	
Door Operation	
Door Troubleshooting	
Train Delay Notification Procedure	
Restricted Speed	
Positioned Properly Enroute	
Delayed in Block Requirement	
PNA Ramp / ADA Equipment Procedure Familiarization	
Inspecting Passing Train	
Protection of Grade Crossing	
Required In Trip Consist Walkthroughs	
Dual Control Switch Operation	
3-pt. Contact Mounting and Dismounting Equipment	
Demonstrate Equipment Familiarization	
Understand Emergency Procedures	
Safety Appliances Location Familiarization (Emergency Windows, First Aid, Tools)	
Evacuation Procedures	
Post Run Security Sweep	
Securement of Cars/Locomotives As Required	

Switching Safely/Efficiently	Rating
Securement of Cars/Engines	
Safety Stops	
Red Zone	
Connecting Hoses / Handling Angle Cocks	
Leaving Equipment in the Clear	
Switches Lined	
Derails in Non-Derailing Position Prior to Movement	
Proper Protection of Shove Movements	
Proper Car Count Procedure	

Switches	Rating
Posture During Handling	
Properly Latched, Locked if Equipped	
Check for Debris	
Ensure Switch Points Fit	

Post-Trip Responsibilities	Rating
Delay Reports Accuracy	
Delay Reports Submitted Properly	
Hours of Service Form Completed	
Incident Reports Submitted	
Passenger Injury Reports Submitted	
Equipment Reports Submitted	

Ratings: 5 - Excellent 4 - Above Average 3 - Average 2 - Below Average 1 - Unsatisfactory 0 - Unable to Evaluate

<p>Comments:</p>

Evaluator Name:

Evaluator Signature:

Appendix C

Prior Safety Conduct Request Forms

HERZOG

Release of Information Form 49 CFR Part 242 Qualification and Certification of Conductors

To be completed by the new employer, signed by the employee, and transmitted to the previous employer.

Employee Printed or Typed Name: _____

Employee SSN or ID Number: _____

I hereby authorize release of information from my prior railroad service records by my previous employer, listed in *Section I-B*, to the employer listed in *Section I-A*. This release is in accordance with, 49 CFR Part 242.113.

Employee Signature: _____ Date: _____

The above referenced applicant is applying for the position of Conductor. In accordance with the Federal Railroad Administration regulation 49 CFR 242.113, please forward the service record and training information to the address listed below:

I-A.
New Employer Name: **Herzog Transit Services, Inc. (HTSI)**
Address: **100 Iron Ave SE**
Albuquerque, NM 87102
Phone #: **954-531-7676**
Name/Title: **Miguel Malave, HTSI Safety Manager**
E-mail: Mmalave@htsi.com

I-B.
Previous Employer Name: _____

Address: _____

Phone #: _____ Fax #: _____

Operating Officer (if known): _____

The below information is to be completed by the previous employer's Conductor Certification Program Administer:

Dates of employment: From: _____ To: _____

Conductor Certification date: _____ Certification Expiration date: _____

Conductor Service Record Request:

Part 242 Section	Yes	No	N/A	Date	
.111 Motor Vehicle Driving Record	___	___	___	___	
.113 Prior Safety Conduct	___	___	___	___	
.117 Vision / Hearing Acuity Test Passed	___	___	___	___	Restrictions? Y / N
.119 Initial & Continuing Education	___	___	___	___	
.121 Knowledge Testing	___	___	___	___	
.123 Monitoring Operational Performance	___	___	___	___	

Part 239 Section	Yes	No	N/A	Date
.101 Emergency Preparedness Training	___	___	___	___

Did this individual violate any of the following 49 CFR part 242 regulations?

Part 242 Section	Yes	No	Date
.115 Alcohol/Drug Compliance	___	___	___
.403 Operating Rule Compliance	___	___	___

Remarks: _____

I hereby certify that the above information is true and correct to the best of my knowledge.

Print name: _____ Title: _____

Signature: _____

Phone #: _____

Fax # _____

E-mail: _____

Date: _____