



# Memorandum

U.S. Department  
of Transportation

**Federal Railroad  
Administration**

Date: October 9, 2003

Reply to Att. of: MP&E 02-01

Subject: Daily Inspection Procedures (229.21) Applicable to Remote Control Locomotives

## **ORIGINAL SIGNED BY**

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To: Regional Administrators, Deputy Regional Administrators,  
Motive Power & Equipment Specialists and Inspectors

The Office of Safety Assurance and Compliance has received several inquiries concerning the requirement for daily inspection of remote control locomotives (RCLs). In particular, how is the remote control transmitter (RCT) treated during the inspection. The requirement for a daily inspection states:

*229.21 Daily inspection; (a) each locomotive in use shall be inspected at least once during each calendar day. A written report of the inspection shall be made.*

The RCL would be given the same daily inspection as a conventional locomotive. The only difference between the two would be the operating controls. If the locomotive is operating in manual mode during the inspection, the brakes would be tested from the controls of the locomotive. If the locomotive is operating in remote mode during the inspection, the brakes would be tested from the RCT. Additionally, all features on the RCT would be tested to determine that they are functioning properly.

If the RCL received its daily inspection when the locomotive is operating in manual mode and later a crew links the RCT to operate the locomotive in remote control the transmitter must be tested to determine that it functions as intended prior to commencing remote control operations.

The RCT, when operating the locomotive, becomes an appurtenance to that locomotive and is subject to the provisions of 49 CFR 229.7 which states in part:

*Section 229.7 Prohibited acts. (a) (states) The Locomotive Inspection Act (45 U.S.C. 22-34) makes it unlawful for any carrier to use or permit to be used on its line any locomotive unless the entire locomotive and its appurtenances; (1) Are in proper condition and safe to operate in the service to which they are put, without unnecessary peril to life or limb; and (2) Have been inspected and tested as required by this part.*

Therefore, if an RCT is found defective **at any time** it may not be used. Since the transmitter is not permanently mounted to the locomotive, if found defective it can be removed from service and another RCT can be linked to the locomotive after receiving a proper test and inspection.

*Section 229.21(a) continued states; Except as provided in '229.9, any conditions that constitute non-compliance with any requirement of this part shall be repaired before the locomotive is used. A notation shall be made on the report indicating the nature of the repairs that have been made. The person making the repairs shall sign the report. The report shall be filed and retained for at least 92 days in the office of the carrier at the terminal at which the locomotive is cared for.*

If the RCL equipment permanently mounted to the locomotive becomes defective the defect and repairs made must be noted on the locomotive daily inspection report. RCT=s are portable and are interchangeable, if the transmitter is found defective it does not affect the locomotive, the locomotive can still be operated in manual or another transmitter can be linked to the RCL. Since the RCT can operate with several locomotives, the defective transmitter need not be reported on the locomotive inspection report. To satisfy the requirement to tag and track defective equipment [49 CFR 229.21] the railroad should develop a means to readily identify defective RCT=s, record defective conditions, indicate repairs made, person making repairs, and maintain that record for 92 days.

*229.21(a) continued; A record shall be maintained on each locomotive showing the place, date and time of the previous inspection.*

The requirement to maintain the onboard record does not change. If the RCT is inspected and tested as part of the daily inspection the onboard record is inclusive of this. If the RCT is added to the locomotive some time after the daily inspection, the device must be tested and inspected to insure that the brakes, throttle, and all safety features function as intended.