



Memorandum

U.S. Department
of Transportation

**Federal Railroad
Administration**

Date: June 22, 2000

Reply to Att. of: MP&E 00-04

Subject: Daily Inspection Record Retention - Part 229.21(a)

From: Edward R. English
Director, Office of Safety Assurance and Compliance

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

Railroad Locomotive Safety Standards, 49 CFR §229.21(a), requires that each locomotive in use be inspected at least once during each calendar day and that a written report be made of the inspection. The report must contain the name of the carrier; the initials and number of the locomotive; the place, date and time of the inspection; a description of the non-complying conditions disclosed by the inspection; and the signature of the employee making the inspection. A notation is to be made on the report indicating the nature of the repairs that have been made for any listed condition that constitutes non-compliance with part 229. The inspection report is to be filed and retained for at least 92 days by the carrier. Additionally, a record must be maintained on each locomotive showing the place, date, and time of the previous inspection.

In late-1999, an MP&E Technical Resolution Committee examined the requirements pertaining to the creation and retention of the calendar day inspection report for locomotives contained in part 229. Based on the discussions and recommendations of this Committee, as well as a review of preamble discussion of the regulation when the reporting requirements were added to part 229, FRA has determined that §229.21(a) permits railroads to make either a single written report for each locomotive inspected or a single written report which covers multiple locomotives (usually an entire consist); provided, the report contains the necessary information and is properly retained as indicated below.

When FRA proposed and adopted the locomotive inspection reporting requirements currently contained in §229.21(a), FRA specifically eliminated the previously existing requirement for an approved reporting form. (See 44 FR 29613, May 21, 1979) When proposing the existing reporting requirements, FRA specifically stated that a railroad could adopt any type of written report as long as it included the required information. (See 44 FR 29613) Consequently, FRA will permit railroads to use a single written report which

covers multiple locomotive to meet the written reporting requirements contained in §229.21(a). However, in order to ensure that all of the required information is contained on such reports and to ensure their proper retention, the following conditions must be met if multiple locomotives are addressed on a single daily inspection report:

- Each multiple locomotive daily inspection report provides a space for the initials and number of each locomotive inspected; the place, date and time of the inspection; and the signature of inspector;
- The inspection report contains a space for entering the initial and number of each non-complying locomotive adjacent to the non-complying condition(s) disclosed by the inspection. There also must be a space to enter the corrective action(s) taken and the signature of person making the repairs;
- A copy of the multiple report is made for each locomotive entered on the report and retained for at least 92 days at a location designated by the railroad;
- A written record is maintained on each locomotive, indicating the date, time and location of the previous calendar day inspection;
- Any condition that constitutes non-compliance with any part of the Locomotive Safety Standards, Part 229, is repaired before the locomotive is used or the locomotive must be tagged and moved in accordance with §229.9.

When performing records inspections, FRA inspectors should review the railroad's calendar day inspection report procedures. If FRA inspectors make a request for inspection reports and the railroad is unable to provide a copy for each individual locomotive, appropriate enforcement action should be taken.

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