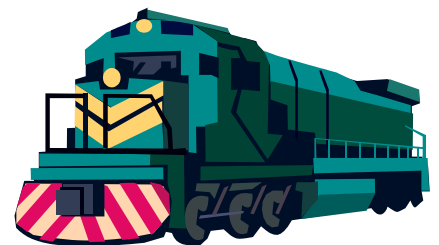


CONDUCTOR CERTIFICATION REGULATION

49 CFR 242



Conductor Certification RSAC Working Group Meetings

- July 21-23 Washington, DC
- August 25-27 Overland Park KS (BNSF Training Facility)
- September 15-17 Colorado Springs, CO
- October 20-22 Arlington, VA
- November 17-19 Scottsdale, AZ
- December 16-19 Washington, DC



Accomplishments:

- Straw man based on enhanced Part 240
- Consensus was reached on the regulatory text and preamble language from the RSAC working group
- Regulation includes minimum training standards required by RSIA 2008
- Conductor defined as the crewmember in charge of a train or yard crew as defined in Part 218
 - Passenger Conductor is a conductor who has also received emergency preparedness training under Part 239



Comparison of Part 240 and Part 242

Part 240

- NDR check required
- Utilize EAP
- Flowback to conductor permitted if engineer certification is revoked

Part 242

- NDR not required
- Utilize SAP
- Flowback to conductor is not permitted if engineer certification is revoked



Comparison of Part 240 and Part 242

Part 240

- Program submitted to FRA for approval
- Part 218 Subpart F violations not revocable events

Part 242

- Program submitted to FRA for approval and a copy submitted to the president of each labor organization that represents the railroad's employees subject to Part 242
- Part 218 Subpart F violations revocable events



Comparison of Part 240 and Part 242

Part 240

- Railroad revocation hearing may follow hearing procedures contained in applicable bargaining agreement

Part 242

- Notwithstanding applicable collective bargaining agreement, railroad shall provide the conductor with a copy of written information and list of witnesses that the railroad will present at the hearing



Decertification Events

- Failure to perform or have knowledge that a required brake test has been performed
- Occupying main track without authority
- Tampering
- Failure to take appropriate action:
 - Speeding
 - Signal indication (excludes hand and radio)
 - ❖ Conductor must be in the cab of the locomotive or have knowledge of the signal indication



Decertification Events

- 218.99 - Shoving or pushing (if reportable)
- 218.101- Leaving equipment in the clear
- 218-103 - Hand operated crossovers
- 218.105 - Hand operated main line switches
- 218.107 - Hand operated crossover switches
- 218.109 - Hand operated fixed derails



Periods of Revocation

- Part 242 periods of revocation follow the periods in Part 240
 - 1st event = 30 days
 - 2nd event within 24 months = 6 months
 - 3rd event within 36 months = 1 years
 - 4th event within 36 months = 3 years



Periods of Revocation

- Revocation periods for certain violations will be reduced by one half if they occur on other than main track and another revocable event has not occurred within the previous 12 months



Questions?

