CHAPTER 2

Field Reporting Procedures and Forms

GENERAL REQUIREMENTS

Information concerning each field inspection, whether or not defects are found, must be recorded on the Track Inspection Report Form, F 6180.96, and promptly submitted. Data contained on the track inspection form will be processed by a computer to permit the generation of several management reports, in addition to reported railroad corrective action on items that are processed as recommendation for a civil penalty by the Inspector. This data helps to determine the effectiveness of the overall inspection program, the degree of compliance, and the effect of the Track Safety Standards (TSS) on reducing track-related accidents.

TRACK INSPECTION REPORT FORMS, FRA F6180.96

This section describes the method to be used in preparing an inspection report. Since January 1995, Track Inspectors have been recording their handwritten inspection activities on a multi-discipline form, FRA F 6180.96 (96) and continuation page 96a, replacing the older form FRA F6180.58 and the continuation page F6180.59. The purpose of the form, then and now, is to record inspections and defects, which then can be entered into the Headquarter's database.

This information helps Headquarters and Regional managers plan and evaluate FRA's safety programs (e.g., annual inspection plans, SACP, RSAC, etc.) The Railroad Inspection System for PC (RISPC) provides inspectors with the capability to enter inspection data via their personal computers. This program allows inspectors to maintain electronic records, which facilitates data analysis.

Both methods (generated by hand or RISPC forms) are designed to facilitate the use of a computer storage and retrieval system, and reduce non-systemic errors. Because of the computer database design, the entries for each part of the form are limited to a maximum number of digits or characters. These limits are noted in the RISPC instructions, and care must be exercised to assure the maximum number is not exceeded. Each space, dash, period, letter, number, punctuation marks, etc., is counted as a digit or character.

Each Inspector engaged in field inspection activities must complete a track inspection form 96, *at the time of the inspection*, generating complete and legible information. Electronic RISPC-generated track inspection report entries are the preferred method to be used. However, Inspectors may, on occasion, elect to utilize the first generation hand-printed reports F 6180.96, if not using a their computers. Hand-printed entries should be made with a black ballpoint pen with sufficient pressure to insure legibility of copies. If additional space is required, form 96a continuation sheets, are to be

used. All pages must be properly numbered in the upper right-hand corner of the report.

HEADER INSTRUCTIONS FOR COMPLETION OF TRACK INSPECTION 96 REPORT

Please see "A User's Guide for Getting Started" regarding the use and main features of the RISPC, including entering, updating and printing inspection reports, task and menu bars, etc.

INSPECTOR'S NAME

This space provides for the full name of the Inspector. Inspectors' name and identification numbers are automatically entered using RISPC computer-generated reports.

INSPECTORS' SIGNATURE

The report must be signed by the Inspector completing report.

INSPECTORS' ID NUMBER

An Inspector using a hand-printed report must show the assigned five-digit identification number. The space (field) is mandatory, as a report cannot be processed without your ID number.

REPORT NUMBER

A report number must be assigned to each inspection activity. Inspectors must number their reports consecutively beginning with number one (1) on the first day of each calendar year. Care must be used so that subsequent numbers are correct and not duplicated or skipped. The field is automatic using RISPC and will generate a mandatory report number, or you can enter a report number, to a maximum of 999 digits. There is a maximum of three digits in each number.

DATE (OF AN INSPECTION ACTIVITY)

Inspectors must show the correct inspection date and enter the occurrence of the inspection activity. The field is mandatory and is automatic using RISPC. Indicate by a two-digit number each, the year, month, and day the inspection was conducted. For example, June 19, 2001 is entered as 06/19/01. *You can make an entry postdated but, you cannot predate your inspection reports.*

VIOLATIONS RECOMMENDED

If a track owner is cited for a violation, a narrative report is written. This narrative is assigned a number that begins with the first report submitted by an FRA inspector and continues sequentially throughout their career without regard to the RISPC numbering. The F6180.96 form that accompanies an inspectors violation report must have the "yes" field properly marked. Line entries on the report are to be recommended as violations to Chief Counsel. Defects that are cited for correction but do not qualify as

violations must be recorded on a separate report form, properly marked in the "no" field. Reports must be marked "yes" or "no" as the field is mandatory.

Remember, where a variety of defects are discovered (e.g., some of which meet the criteria to support a recommendation for prosecution), a separate report must be prepared: one report showing defects and a separate report (numbered in sequence) for violations.

RAILROAD/COMPANY NAME AND ADDRESS
Enter the name of the railroad/company responsible and the subject of the inspection. RISPC users default to the R/C field first, then entry in the RR/CO.CODE field generates a name and address based upon the railroad code input. In RISPC, click on the "Table Lookups" (18) button to search for and select a code. Click the scroll bar arrows or drag the box in the scroll bar to look through the entries. You may also search through the entries (See using Table Lookups), and enter Division and Subdivision.

R/C
Enter either the code "R" if the report is for an inspection of a railroad defined in the general railroad system of transportation or a "C" for a company (facility) not a part of the general railroad system of transportation. This field is mandatory and is necessary for the proper classification of reports. Source code V should be associated with this type of activity [e.g., inspection conducted in a welding plant (activity code WPI) or rail plant (RMI) facility].

RR/CO. CODE
Enter the code assigned by the FRA for the railroad/company you are inspecting. This field is mandatory. If the required information is missing or invalid, the report will be considered incomplete pending Inspectors' verification and correction. Indicate the name of the railroad responsible for the maintenance of the track for which the report is prepared, and the correct alphabetical code for that railroad in the space provided on the form. The source of this code must be shown as published in Appendix A of the FRA guide for preparing Accident/Incident Reports, without periods, hyphens, or other additions (maximum of four characters).

DIVISION (optional)
Division codes are not required by the RISPC and may be entered as an elective for regional inspector purposes. Division is the alphabetic code representing an operating division (or region-district) of a railroad. A railroad not divided into operating divisions must be shown as "System."

SUBDIVISION (optional)
Railroads maybe organized into subdivisions identified in timetables or other

instructions. If so, enter the name of the subdivision at the location the inspections were made, otherwise leave blank.

RR/CO. REPRESENTATIVE (RECEIPT ACKNOWLEDGED)
Print the name and title of the railroad official contacted or accompanied. A signature, acknowledging receipt, provided by an accompanied railroad official must be obtained and initialed on the continuation sheets to signify receipt of their copy. RISPC allows you to input data, search and recover representative record information.

When an unaccompanied inspection becomes necessary, the word 'unaccompanied' should be shown in this field. If, on the day of inspection, the inspection report cannot be personally delivered, those defects and their locations must be given by phone at the end of the day to a responsible railroad official. The time, date, name and title of the person who received this defect information must be noted on the track inspection report form. The railroad's copy will then be promptly mailed to the appropriate railroad official.

FROM CITY/STATE/COUNTY
RISPC allows you to open State codes from a drop down menu. Identify the city, state, and county name, as applicable, where the inspection activity began. All appropriate codes regarding the city, state, and county names are mandatory and can be found in the GSA Worldwide Geographic Location Guide books. Whenever an inspection did not take place in the boundaries of a city, town, etc., the field can be left blank. However, state and county code identifiers are mandatory and must be listed. County codes are to be preceded by the letter "C" and ensure whenever a city is listed, it is within the geographic boundaries of the county identified. If the inspection was conducted between two points, enter in the appropriate box the name and code of the county the inspection began.

DESTINATION CITY & COUNTY
Complete this field if the inspection activity takes you to a destination other than a location identified in the **"FROM CITY/STATE/COUNTY"** field. It is not necessary to complete this field when inspections are contained within a single location, but instructions for **"FROM CITY/STATE/COUNTY"** must be followed. Enter, in the box field, the State and City codes of the inspection point as shown in the GSA Worldwide Geographic Location Guide. If the inspection point is not near a city listed in the location guide, substitute the county name and code from the guide book.

When using the county code, the letter "C" will precede a three-digit number (e.g. C021 or C131 for counties, respectively). An inspection extending into more than one State will not be reported on the same report. A separate report form must be used to report an inspection for each state. In order to describe more fully the limits of track inspected, a system has been devised to indicate that the inspection actually extended

to a State line rather than having terminated at some point within the boundary county as would be the case using simply a county code.

An inspection that begins within a State and terminates at the State line will be reported by entering the code for the community nearest the inspection starting point in the "From City" space on the inspection form and a four-digit artificial identifier in the "location to" space to indicate the State line. This artificial identifier code is composed of the two digits "99" to indicate a State line, followed by the two digit State codes for the adjacent state.

For example, an inspection conducted from Erie, Pennsylvania to Ashtabula, Ohio, would be reported on two separate reports as follows:

First Report

From			Destination		
City:	Erie	2640			
State:	PA	42	City:	PA/OH State line	9939
County:	Erie	C049	County:	Erie	C049

Second Report

From			Destination		
City:	OH/PA State Line	9942			
State:	OH	39	City:	Ashtabula	0330
County:	Ashtabula	C007	County:	Ashtabula	C007

These inspection reports should be numbered consecutively. They can then be associated with each other in a listing of inspection activity, and a clear picture of the location of the entire inspection will be available.

An inspection crossing an entire state will show state line identifiers at each end, and will be associated with adjoining inspection reports by use of consecutive report numbers. For example, an inspection from Pittsburgh, Pennsylvania, through West Virginia, to Columbus, Ohio, would be reported as follows:

First Report

From			Destination		
City:	Pittsburgh	6600			
State:	PA	42	City:	PA/WV State Line	9954
County:	Allegheny	C003	County:	Allegheny	C003

Second Report

From			Destination		
City:	WV/PA State Line	9942			
State:	WV	54	City:	WV/OH State Line	9939
County:	Brooke	C009	County:	Brooke	C009

Third Report

From			Destination		
City:	OH/WV State Line	9954			
State:	OH	39	City:	Columbus	1800
County:	Jefferson	C081	County:	Franklin	C049

Use a county or nearest city code, regarding Inspections beginning or ending at international borders (e.g., Canada or Mexico).

Note: when an inspection occurs at one point only, for example an inspection within the confines of a yard in one municipality, it is not necessary to fill in the "destination" boxes.

MILEPOST: FROM & TO

When conducting a track inspection or performing other inspection activity, i.e., train riding, show a starting milepost identifier in this field. Record, in the "To" field, the milepost of the farthest point your inspection extended over the segment of track inspected. The "From" and "To" fields must be shown when the Source Code is one of the following:

I ATIP Survey (Geometry Car Active Status)
J ATIP Follow-up
K Inspection From Train
N ATIP Survey on STRACNET Segment

Capture only one set of milepost ranges on the database. The numeric portion of the milepost is to be recorded in an NNNN.NN format. If an alphabetic identifier is used by the railroad, in conjunction with a milepost number, they are to precede the numeric value and not exceed two characters in length. Examples of acceptable field entries are: SL12.25, R218.5, YL12.50, and X12.45**.**

INSPECTION POINT
As an elective, enter the name of the site, branch or the milepost location limits of the track inspected, where the inspection activity was conducted (e.g., a repair facility, train yard, interlocking plant, single or double main track) and the authority to operate trains. For example, Main Track 1, Track Warrant Control, (abbreviated **MT1 TWC**). The field has a maximum of twenty (20) characters.

ACTIVITY CODES
The report allows up to eleven activity codes that may be recorded from the list below.

209	Remedial Action Not Reported
218C	Camp Car Protection
ATIP	Automated Track Inspection Program surveys (FRA vehicles)
BAP	Review Subpart G Barrier Plan
BWK	Bridge Worker Safety
CWRP	Review CWR Plans
DER	Inspect Derail
GRMG	Inspection from gage restraint measurement vehicle (Government owned)
GRMS	Inspection from gage restraint measurement vehicle (Other than government owned)
HGCT	Highway Grade Crossing Track, (Observe Interference With Crossing Warning Devices, i.e., vegetation)
LRA	Inspect Lift Rail Assemblies (and related devices)
MSB	Bridge Inspection
MTH	Inspect Main Track via Hy-Rail Vehicle
MTW	Inspect Main Track via Walking
NOIS	Conduct Wayside Noise Inspection
QTP	Review Subpart G Qualification Test Plans
QVT	Vehicle Qualification Testing
RMI	Inspect Rail Mill Facility

Revised 04/22/01 (LRA ..and related devices)

ROWP	Review Subpart G Right of Way Plan
RWP	Roadway Worker Protection observation
RXM	Inspect Rail Crossing Main Track (Observe Manually)
RXY	Inspect Rail Crossing Yard Track (Observe Manually)
SPCL	Speed/Class Inspection (use of radar to determine compliance with excepted track and track class)
TGMS	Inspection from a track geometry measurement vehicle (other than Government owned)
TOM	Inspect Main Track Turnouts (Observe Manually)
TOY	Inspect Yard Track Turnouts (Observe Manually)
TREC	Review Railroad's Track Inspection Records
TRM	Inspection from a Train (e.g., observe track/train interaction, right-of-way signage, signals obscured, etc.)
VTI	Inspection from a Vehicle/Track Interaction Car
WPI	Inspect Welding Plant Facility
YTH	Inspect Yard (Other than Main Track) via Hy-Rail
YTW	Inspect Yard (Other than Main Track) via Walking

UNITS

Each mile of track, turnout, record, crossing at grade and derail, as inspected, should be counted as a unit. *Number of track miles inspected is limited to 125, per report. Number of railroad track records inspected is limited to 650, per report.*

SOURCE CODE

Enter one of the available letter codes to identify the source of (why or purpose for) the inspection. Only one letter may appear on the inspection report. If the required information is missing or invalid, the report will be considered incomplete pending Inspectors' verification and correction.

Source Code

A **REGULAR INSPECTION**. Use to record regular inspections.

B **COMPLAINT INVESTIGATION**. Use with a complaint number assigned by Region and Headquarter's personnel.

C **ACCIDENT INVESTIGATION**. Use in conjunction with accident investigation number assigned by Region and Headquarter's personnel.

D **SPECIAL INVESTIGATION OR ASSESSMENTS**. Use with Headquarter's assigned file numbers for a special inspection, assessments, and Federal Assistance Projects.

E **WAIVER INVESTIGATION**. Use with a docket number assigned by Headquarters to the waiver petition.

F **FEDERAL ASSISTED INVESTIGATION**. Inspections conducted with other agencies assigned by Headquarters or Regional personnel.

G **OTHER**. Use where other inspection source codes do not apply.

H **NUCLEAR ROUTE SHIPMENT.** Use with assigned inspections of shipments of spent nuclear fuel, etc.,

I **ATIP SURVEY**. Use this source code with an Office of Safety assigned ATIP survey file number (e.g., CSXT0126). This code will be used when inspecting track during ATIP active status surveys. Only the report header of the form is to be filled out during these inspection activities. **DO NOT RECORD SURVEY DEFECTS ON THE ATIP SURVEY 96 FORM.** When the car is stopped to verify defects, those items shall be recorded on a separate 96 Form using source code J - ATIP Follow-up (see below). Enter only the number of miles of track inspected under the (activity code) unit's box. This is to correspond with the daily number of miles operated by the ATIP geometry car either self-propelled or towed by a locomotive during an ATIP active status survey.

J **ATIP FOLLOW-UP.** Use ATIP number corresponding to the original survey file number, (e.g., CSXT0126) assigned by the Office of Safety. On-the-ground field verification of reported non-compliance conditions will normally take place at some time following the survey. If field verification procedures are instituted while the ATIP vehicle is in survey status and non-compliance conditions are to be cited, the inspector must initiate a report separate from the one required under ATIP SURVEY. Under no circumstances will data generated by the ATIP vehicle be used to cite defects from the standards without the inspector first verifying their existence through field verification procedures.

K **INSPECTION FROM TRAIN.** Riding in the operating compartment of a locomotive to determine rough locations or other unusual characteristic that may warrant a field investigation to determine if a defect or defects exist. While inspecting from a train, it is only appropriate to record defects that are best from a train. Specifically, vegetation that blocks a train crew's view of signals or signs.

L **REGULAR INSPECTION OF STRACNET SEGMENT.** Special codes have been established to identify inspections conducted on track segments of the Strategic Railway Network (Stracnet), an assigned military route important to the National defense. Inspectors must be kept informed by the Regional Track Specialist of railroad routes in this network. Confer with your Track Specialist on updating correct information annually.

M **SPECIAL INSPECTION OR ASSESSMENT OF STRACNET SEGMENT.** Assigned investigations identified along designated military routes important to the national defense.

N **ATIP INSPECTION OF STRACNET** Strategic Railway Network (STRACNET) an assigned military route important to the national defense.

R **REINSPECTION**. Used to identify all previous inspections made on track segments within a 90-day period. While the 90-day limit is arbitrary, it is in keeping with the need to promptly verify railroad responses to previously detected safety hazards. A reinspection can disclose a track condition where nothing has been done by the railroad to initiate remedial action, under §213.5(a) responsibility. A reinspection report will cover only those units inspected during the initial inspection. Other identified defective track conditions must be reported on a separate form F 6180.96, using the appropriate source code (initial) for that activity. Use 5-digit Inspector ID number and report number of initial inspection (i.e., 16680-999). Initial inspections and reinspection need not be made by the same Inspector.

V **INSPECTION AT MANUFACTURER'S FACILITY**. Use this code when monitoring the railroad's inspection at the rail manufacturers mill or when visiting a rail welding plant that is located at the rail manufacturer or other facility that is not located on railroad property. Use code "G" (other) when monitoring welding on railroad's property.

W **FOCUSED INSPECTION**. A coordinated inspection activity involving a number of inspectors.

Note: The above Source Codes are specific to the Track Discipline. For additional codes, see the discipline-specific compliance manuals. Refer to the Appendix of this manual for a matrix of allowable combinations of track discipline source codes and activity codes.

FILE NUMBER
A file number is required for ATIP activities (source codes I & J), complaint investigations with assigned numbers (source code B), special inspections that are SACP related (source code D), and waiver investigations (source code E). If no file number has been assigned to an inspection activity, leave this space blank. All others, also leave blank.

ACCOMPANIED INSPECTORS
Use when conducting joint inspections. If two or more track Inspectors make a joint inspection only, one track inspection report, form 96, will be filed. The other Inspector will sign his or her name in the top margin above the signature of the principal Inspector.

LINE ITEMS
No more than 999 defects can be recorded on one track inspection report (maximum three digits).

INITIALS/MILEPOST
Indicate the location of the defect to the nearest one hundredth of a mile (52.8-feet). The computer can accommodate a maximum of six characters but only two to the right of the decimal point. For example, 1234.56 and 12.15 are acceptable identifiers of milepost location (maximum six characters).

EQUIPMENT/TRACK #
Indicate the track number on which the defect exists. If the track is not designated by number, enter the name of the track (maximum three digits or characters).

TYPE/KIND
Enter the appropriate type code listed at the bottom of the form (maximum one digit).

Type code "**M**" will be exclusively used for defects located on controlled and non-controlled main tracks but not where defects are located in the turnout. Use care in distinguishing the type of track distinctions among main and other than main trackage identified in §213.233(c).

Type code "**S**" will be exclusively used for defects located on controlled and non-controlled sidings identified in timetables or other pertinent information conveyed to allow opposing trains to pass (but, not where defects are located in the turnout).

Type code "**Y**" will be exclusively used for defects located within yard classification tracks or other tracks designated to store or make-up trains. Tracks such as industrial spurs and auxiliary tracks designated other than main tracks are excluded in this type code.

Type code "**I**" will be exclusively used for defects located on industrial track (i.e., elevator tracks, spur and back tracks, owned and maintained by the railroad you are inspecting).

Type code "**T**" will be exclusively used for defects located within a turnout area, whether on the straight side or the turnout side. The turnout area is defined as extending from the point of a switch to the heel of the frog.

Type code "**X**" will be exclusively used for defects located on a track that is between the two turnouts (heel of the frog to heel of the frog) of a crossover, independent of track centerline length.

49 CFR/USC
This has reference to the Code of Federal Regulations (CFR) Parts pertaining to the TSS, under Part 213; Roadway Workplace Safety, under Part 214; etc.

DEFECT CODE (Rule)
Refers to the defect codes explained and listed in Chapter 5 of this manual. Defect code or "Rule" refers specifically to the digits to the left of the decimal point.

SUBRULE
Subrule refers specifically to the digits to the right of the decimal point. Some defect codes have fewer than five digits, so zeros must be used as fillers. For example, defect code 7.1 would be recorded as 0007 (Rule) and 01 (Subrule). Each space must be filled with a zero.

SPEED
Refers to the trains' confirmed operating speed. Enter the speed, in miles per hour, for the track as authorized by the railroad. If freight and passenger speeds differ, show only the speed that establishes the highest track class, under §213.9(a). Do not attempt to show more than one speed.

CLASS
Enter the class of track for the speed designated under speed field above and in accordance with §§213.9(a) 213.307(a) of the regulations that prescribes the maximum allowable operating speed for each track class.

TRAIN #/SITE
Optional, can be used to provide additional descriptions of defect locations.

SNFR
Use when issuing a Special Notice for Repairs (SNFR), accompanied by FRA F6180.2 Part 2 form.

 # OF OCC.

The purpose of this field is to eliminate and reduce the number of line items per report. Inspectors can record multiple defects of the same type in this field as long as the number of times the defects occur is on a specific unit of inspection. Defects captured in this field will be the number entered. If no entry is made, a single defect count of one (1) will be used. Normally, Inspectors look for noncompliance in a 528-foot (tenth of a mile) segment of track. Some subpart defects are divided into smaller areas (i.e., alinement 31, 62, 124-foot; crossties in 39-foot and curve limitations in a 155-foot segment). Other noncompliance, i.e., missing track bolts, can be recorded by a point-by-point basis and summed. However, all defects are referenced to the one-tenth (528-foot) of mile segments. For example, you discover nine recurrent crosstie defects (213.109.01) in 351-feet. Those nine defects can be captured by completing a single defect item and recording "9" in the **"NUMBER OF OCCURRENCES"** field, because the 39-foot (9×39=351) track segment (unit of inspection) does not exceed 528-feet. Another example, while inspecting a railroad's track records, you identify 10 instances where the signatures (213.241.03) on the reports are missing. Similarly you show "10" in the **"NUMBER OF OCCURRENCES"** field. Contrarily, the total number of loose or missing frog bolts would not be itemized because the unit of inspection is the body of the frog in a turnout. It is often helpful to include a reference to the number of occurrences in the narrative description. Such as, "5 missing frog bolts" or "6 loose adjustable rail braces," but remember, the **"NUMBER OF OCCURRENCES"** would be one in this field.

DESCRIPTION

Description of the defect must be provided in this space. It must include actual field dimensions of the defect when applicable and a description of physical conditions associated with defects not involving numbers or dimensions. Any comments the Inspector may wish to make concerning the defect must be confined to the description column. Only 250 characters can be stored in this field in the database.

More than one line may be used in this column when necessary to adequately describe the nature and location of defects. While brevity is desired, it is essential that the railroad representative understand what the defect is and where it is located so that corrective action can be taken. Dimensions or adequate description of the defect must be recorded in order to evaluate the appropriateness of the railroad's reported follow-up action.

WRITTEN NOTIFICATION TO FRA OF REMEDIAL ACTION

Railroads, under §213.5(a), must bring the track into compliance when any defective condition is discovered. In addition, railroads must inform FRA in writing of the remedial action taken to abate those track conditions identified as violations whenever the "Yes" block is entered or checked in the "Violations Recommended" section of the header (as per §209.405). All line entries must contain an "X" or check mark in the "Required" block field. It is optional, not mandatory, to return the report to you when the "No" block is checked in the "Violations Recommended" section of the header.

RAILROAD ACTION CODE

When an inspection report indicates that an inspector recommends a violation (as indicated above), the codes on the reverse side of the form are for the railroad representative to record what remedial action was taken to correct the defect and the date it took place. The railroad should provide a brief description of corrective action according to the list of codes on the reverse side of the 96 form.

Comment regarding the corrective action should be entered opposite the item number and may not be confined to one line. The railroad must correct the defects immediately and should report the corrective action, taken within 30 days following the end of the month the inspection took place. A responsible railroad employee should sign and date the report in the space provided on the back before returning it to the Inspector. Remember, the return of this form is mandatory when a violation (checked box yes) is recommended, with notations of railroad corrective action and is strictly voluntary and no violation of law or regulation is incurred for the railroad's refusal to submit forms when defects are cited for correction (checked box no). However, railroads should be encouraged to return the form as requested.

DISTRIBUTION OF REPORT COPIES

Reports <u>not</u> to be Processed as Violations

The original should be mailed promptly or uploaded to the contract organization assigned to process the reports for FRA. A copy should be forwarded promptly to the Track Specialist or the Inspector who prepared and signed the report. Another copy is retained by the Inspector who prepared and signed the report. Either the RISPC generated or the handwritten yellow "Buff" copies is issued to the track owner's representative at the end of the inspection covered by the report.

If an error is discovered requiring correction of the report, the corrected report must be issued to the railroad representative and a corrected copy must be forwarded promptly to the Track Specialist. Furthermore, the corrected report must be mailed or uploaded to the current FRA data contractor. This report should be clearly marked at the top, "**Corrected Copy**." The RISPC format is more likely to be error-free with respect to coding.

When making an unaccompanied inspection, the Inspector will deliver the last copy of the report to the railroad Division personnel having jurisdiction in the area covered by the report.

Reports to be Processed as Violations

Often, it is necessary to provide supplemental information to report F 6180.96, by writing a narrative report when recommending civil penalty, reporting emergency situations, accidents, or reporting results of special investigations. These written narratives will accompany the track inspection report form.

A narrative submitted with a track inspection report should contain sufficient detail to completely describe and support the inspection activity. Copies of all pertinent data, such as railroads' plans, records, bulletins or orders; any pertinent photographs, the names and titles of railroad employees who were witnesses, the time of day when the inspection or investigation was conducted, and the location of any violation with reference to some fixed object should also be furnished to further support the inspection activity.

When filing a violation report intended for a civil penalty, great care should be taken to obtain adequate evidence to support the violation. This should include evidence through personal observation and/or records indicating train operation(s) over the track defect. Also, evidence that the railroad should have known (knowledge standard) the defect existed must be included, in accordance with §213.5 (a) which states that the track regulations apply to any track owner "... who knows or has notice that the track does not comply with the requirements..." This is known as the "knowledge standard."

Prior knowledge may be documented by copies of previous FRA track reports given to the railroad indicating thereon the presence of the track defect or from railroads' own records indicating the existence of the defect. See Chapter 4 of this manual for additional instructions on filing violation reports. Knowledge of a defect can be established by constructively showing that the defect is of such a nature that the railroad would have known of the defect from past track inspections.

All facts developed during the investigation become the basis of the Inspector's testimony, if required to appear in court. Therefore, the Inspector should be careful to identify in the narrative report all circumstances or facts which the Inspector did not witness, by stating the source of such information. This may be accomplished by attaching a report of an interview to the narrative report. All copies of records must be identified giving the name, title and address of the custodian of original records. When the Inspector is reporting a condition(s) to be processed as a violation (recommending prosecution), the yellow copy is to be issued to the track owner's representative and the original is retained in the region to become part of the violation package. Make additional copies as required.

Defects not to be processed as violations must not be recorded on the same report as those recommended for prosecution. The violation report must be completed as

directed in Chapter 4 and submitted to Washington headquarters within 30 days after the date of the inspection report.

SUPERVISORY REVIEW

Upon receipt of a Track Inspection Report, or any other report submitted by an Inspector, the Track Specialist will make a thorough review to determine:

- Completeness of the report;
- That it has been prepared in accordance with outstanding instructions;
- That the type and number of inspections are consistent with the goals of the FRA; and
- That particular attention has been given to violation reports that the Inspector has recommended for prosecution. The penalty schedule issued in conjunction with the TSS provides penalty amounts for each standard violated. The Inspector's recommendation for prosecution should leave no doubt as to the degree of seriousness of the violation so the appropriate penalty can be assessed.

The Track Specialist, after considering the hazard of the specific track violation, the railroad's record of accidents and overall compliance attitude, should indicate his concurrence or nonconcurrence with the Inspector's estimate of the seriousness of the violation.

If the Track Specialist does not concur with the Inspector's estimate of the seriousness of the violation, the Specialist should prepare a memorandum stating that fact and the reasons for his nonconcurrence. The memorandum should be addressed to the Regional Administrator, attached to the violation report, and a copy furnished to the Inspector. The report should then be discussed with the Inspector.

End of Chapter Two